J. G. Pourde O.P.

BIRTH-CONTROL AND EUGENICS

In the Light of Fundamental Ethical Principles

BY

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BIRTH-CONTROL AND EUGENICS

CHAPTER I

THE PRESENT AND THE PROSPECTIVE SITUATION

THE propaganda for eugenics, birth-control and other unsavory schemes for racial improvement shows no signs of abatement; on the contrary, it is likely to receive a new impetus through a recent decision of the United States Supreme Court, declaring constitutional the Virginia Statute that provides for the sterilization of the feebleminded in the custody of the State. Laws, only half-heartedly enforced or completely fallen into desuetude, will revive under this stimulus, and the enactment of new laws will be sought. The agitation for the removal of existing restrictions on the dissemination of information pertaining to contraceptive methods will be carried on with renewed vigor, for, strange to say, this unholy cause has a host of most devoted adherents, who spare no effort to promote it and are discouraged by no obstacle. Accordingly, the moment is most opportune for an evaluation of these schemes and kindred ones in the light of fundamental

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ethical and Christian principles. In fact, such a critical review is imperatively demanded by the audacity of the propaganda and the speciousness of the arguments employed, lest those as yet untouched by the error be led astray. Within the next few years a fierce battle will center around these issues, which involve basic human rights and bear directly on the dignity of human personality. That in this controversy the Catholic Church is destined to play a prominent part, goes without saying, since she has always made it a point to defend human liberty and human dignity whenever and wherever they were menaced, and consequently cannot remain silent now when again they are threatened. In this coming crisis, both to render themselves immune from contamination and to set others right, Catholics must be well informed and able to defend their position; hence, this summary restatement of the whole case requires little justification. It is really warranted by the exigencies of the situation.

Outside of the Catholic Church the most lamentable confusion prevails with regard to fundamental ethical principles. To describe this condition as actual chaos is no exaggeration. Social expediency is the only standard by which moral issues are decided. The last vestige of human liberty is being swept away in the name of social welfare. What is worse, even the most maudlin sentimentality is injected into the discussion of

vital ethical questions. Extremes meet, for in one direction human liberty is extended far beyond the boundaries of morality and man is said to be entitled to the fullest measure of self-realization and happiness, while in another direction the most elementary human rights are abbreviated or entirely taken away. Again, rights of a certain type are unwarrantably strained, and the corresponding duties entirely obliterated. In all this men drift on the shallow waves of expediency. All definite landmarks by which men could safely determine their course have been swept away. The opportunistic liberalism which they follow is always on the point of turning into the most intolerable and degrading slavery. Liberalism emancipates man from the natural law only to make him a plaything of his passions.

In some respects modern ethics is very exacting, sometimes not hesitating to require wellnigh heroic conduct, albeit without adequate motivation. But in one sphere of life it is invariably indulgent and yielding. That is in the domain of sex life. Here the whole flabbiness of modern ethics stands revealed. In this province it knows nothing but abject surrender. Whatever restrictions it imposes in other ways, it makes compensation by larger sex freedom. The tendency towards greater sexual laxity and unrestraint has become universal. Discipline in the realm of sex is rejected on the tacit admission that man here

is helpless. Sex freedom is proclaimed on all sides. Scathingly G. K. Chesterton denounces this characteristic tendency of the modern ethical revolution. "It is exceedingly characteristic," he says, "of the dreary decades before the War that the forms of freedom in which they seemed to specialize were suicide and divorce. Other forms of freedom were increasingly curtailed. As all these doors were successively shut in our faces along the chilly and cheerless corridor of progress (with its glazed tiles), the doors of death and divorce alone stood open, or rather opened wider and wider. As we have already seen, papers and public men today make a vast parade of the necessity of setting the poor man free to get a divorce. Now, why are they so mortally anxious that he should be free to get a divorce, and not in the least anxious that he should be free to get anything else? What is the meaning of this mysterious immunity, this special permit for adultery; and why is running away with his neighbor's wife to be the only exhilaration left open to him?" ("The Superstition of Divorce," New York City). Throughout, the same inherent weakness of modern ethics betrays itself. Sterilization and birth-control grow from the same root from which divorce and companionate marriages spring—the inability to cope with a passion that has been allowed to grow strong without discipline, and that is brought to white heat by the whole modern environment. In

its turn, the modern attitude towards sex is due to a fatal misconception of man's nature and destiny.

All these modern measures—whether they be eugenical sterilization, birth-control, easy divorce, temporary marriages or euthanasia—have a wearisome similarity and a common source. They embody a protest against obstacles. They remove restraints which man has always found particularly irksome, but which are essential for the assertion of his spiritual nature. At the same time, these restraints are the props of the social order, and by removing them social collapse is being prepared. It is here where the idol of the hour, social expediency, plays mischief and works havoc. In their shortsighted policy, the ultra-moderns can think of no better plan than that of removing these so-called obstacles, forgetting that a pillar and a foundation wall for certain purposes may also seem to be mere obstacles. These apparent obstacles to a wrongly conceived self-realization and a narrowly understood social welfare are actually the pillars on which the whole structure of human civilization depends. By undermining them, man brings about his ears the edifice of civilization which past generations have patiently toiled to rear aloft. Modern ethics is sadly afflicted with a disastrous nearsightedness. Its vision extends only to that which lies immediately before its eyes. It enters what it thinks to be

an open thoroughfare only to discover that it is caught in a blind alley. Its special failing, however, is that it cannot lift its eyes and look up, and so it is unable to perceive that what to the observer at close range seems to be a hindrance, is really a pillar supporting something of tremendous importance and infinite value. This moral myopia is pathetic and tragic.

The moral confusion of our days is but the logical outcome of the present intellectual anarchy. Every theoretical error is bound to burgeon forth into a corresponding moral error. A false philosophy germinates into false principles of conduct. Moral choices of policy involve ultimate choices between contrasting world-views. If the lines on which a moral decision is made are continued, they lead straight to a metaphysical background. But the trouble is that the most vital moral decisions in our days are made without any reference to the ultimate truths by which they ought to be dictated. It is that disregard for the ultimate that makes our times embark on such hazardous courses of policy. We are in the same condition as the mariner who is steering his course without consulting the heavens, and who complacently sails the main without taking his bearings by the lodestar. In such a procedure lurks danger. But the shallowness of the contemporary mind does not even realize the danger. Hence the optimism of our days that sees prog-

ress where there is only movement, and is unaware of the serious problems that confront the race and that jeopardize the future. We live from day to day, and think not of the morrow. We evade one difficulty only to get into a worse one. The best that this modern philosophy—if philosophy it is—has to offer is sorry makeshifts and temporary palliatives which leave the evil substantially untouched, and under the surface allow it to grow to overwhelming proportions. The only aim that men pursue is their happiness, and that interpreted in material terms. Moral effort has become distasteful, and self-renunciation is dreaded with an overmastering fear. But such evasion of the moral law will bring its penalties. Human happiness, individual as well as social, cannot be realized except in conformity with an unyielding world-order and in harmony with the everlasting cosmic laws, which, whether physical or moral, may not be defied with impunity. Accordingly, human conduct and social policies are not to be regulated by mere expediency (which, on account of its short views, always defeats itself in the end), but by the immutable principles that express the fundamental structure of reality. And, in so far as man is concerned, morality enters into the innermost fabric and texture of his being. Moral laws reach away down into the depths of nature. They are not purely superficial and ornamental embroideries on life, but expressions

of its essence. They are the real laws of human welfare, rooted in the nature of things. They are the higher laws of biology and psychology. They are cosmic laws, inflexible and inexorable. To trifle with them is as perilous a process as playing with a buzzsaw in motion. By setting them aside and substituting reasons of expediency, carnal prudence sacrifices the future to the present, a procedure that involves an extremely wasteful and hazardous policy and that terminates in bankruptcy.

Most modern schemes of racial improvement ignore the spiritual factor, thereby depriving themselves of the most potent lever for the uplift of the race. In the higher regions of the spirit lie untapped sources of energy that can be made available for physical regeneration. Individuals as well as races can receive an access of physical vitality and bodily vigor through the spirit. On the other hand, where the spiritual side of man remains undeveloped, his physical stature will also be stunted. Human dynamics are chiefly spiritual. In them the soul plays the leading part. Eugenics and birth-control, therefore, are doomed to failure, because they dwarf the spirit and eliminate the soul. For man, health can be only where the spirit assumes that supremacy which belongs to it in the economy of human life. If you quench the spiritual spark in man, the result will be, not

a very perfect animal, but a degenerate being. Commenting on the beautiful words of Christ, "My teaching is health for all flesh," Dr. F. W. Förster says: "Since, however, health is to such a large extent a product of spiritual and moral factors, and physical degeneration is frequently a direct product of weakness of character and spiritual bankruptcy, it is a false general principle to lay too much weight upon the physical conditions of the propagation of the race. Parents with weak physical health are quite capable of producing children whose spiritual and moral qualities are such as not only to convey an increment of innermost life-energy to the race, but to preserve the efficiency of a weak body—nay, gradually to regenerate it. On the other hand, robust physical energy is only too easily converted into weak health, if it enters upon life without preservative spiritual forces. . . . These considerations must not, of course, be understood in the sense that I deprecate responsibility with regard to really serious and indubitable dangers. My desire is to protest against the brutal and superficial 'heredity-terrorism' with which certain modern eugenic enthusiasts advocate a regulation of human breeding borrowed from the stables and totally foreign to the human race, where the problem of propagation is so infinitely more difficult and complicated. In the case of

humanity, spiritual and ethical factors have to be taken into account" ("Marriage and the Sex-Problem," New York City).

In spite of the gloominess of the outlook at present, there is a hopeful aspect to the situation. As many writers—not by any means of a religious turn of mind—tell us, mankind is on the way to suicide, and seemingly has no other concern than to accelerate its speed. However, it will halt and pause before it is overtaken by catastrophe. Realizing its plight, it will reach out for salvation. This salvation, of course, can be brought about only by a repudiation of the semi-pagan and pagan principles that now are in the saddle, and by a sincere return to the teaching of Christian morality, which is built on a true recognition of human nature. Dire necessity will compel the world again to become soundly and thoroughly Christian. A French apologist has made the shrewd observation that society by successive social crises, each one of which brings it nearer to the brink of ruin, will be induced to retrieve the Christian truths which it has rashly thrown overboard as useless ballast. The route is a circuitous one, but eventually it will lead to the goal. In the wake of every rejected Christian doctrine follows some special social evil as a relentless nemesis. As those evils multiply and become more unbearable, men will be aroused to a consciousness of their sad state and seek the proper

remedy. Thus, one by one, they will bring back the doctrines which they cast aside. This is the bright spot in the otherwise dark picture. We are optimistic enough to vision this return to sanity. It will be slow in coming, since men have to be scourged into it. Withal, the time will come when men will restore to their rightful place in life these great protective moral principles which they now scorn, simply because human existence without them will become impossible and intolerable.

In this optimistic spirit the present volume has been written. It accentuates the larger and longer views of life, in contrast to the partial and shorter ones held by the modern apostle of racial renewal. It proposes to show that the schemes advocated by radical eugenists and advocates of birth-control are not only contrary to Christian teaching and at variance with sound philosophy, but that moreover they betray an abysmal ignorance of the real needs of life—that they are derogatory to human dignity, destructive of freedom, unfavorable to true human development, and conducive to degeneration. It points out that, since they are inspired by fragmentary views of life, these measures, instead of bringing lasting relief, entail only greater evils. One of these evils—in fact, the crowning of all evils, and yet one towards which the modern social fanatic seems to be drawn with a fatal fascination—is the

servile state with all its attendant degradation as it existed in pagan times. Emphasis is placed on the fact that, since the moral laws safeguard life's best and highest values, the only safe course for society lies in close adherence to the principles of traditional morality, which really is built on a penetrating understanding of the deepest requirements of human nature, and adequately takes into account the psychical reactions which a given scheme of reform may produce. This old morality is realistic in the best sense of the term, whilst the so-called modern morality is purely fantastic, because it is based on a view of life taken from the narrowest angle of vision. Whoever wishes to benefit man, must not be content with such fractional and one-sided views, but must see life steadily and see it whole.

Fortunately for the world, the Church has preserved in their integrity the moral principles that give life, ensure racial health, stave off degeneration, promote progress, and guarantee social stability. She holds them in readiness whenever human society has become sufficiently sobered by its disastrous experiences to ask for them. The remedy is not far away but at hand, and can be applied at any time when society realizes its folly and asks for the one physician that can save.

CHAPTER II

THE ARTIFICIAL RESTRICTION OF THE FAMILY[1]

By no other symptom does the basic trend of modern life towards materialism and naturalism betray itself more clearly than by the brazen propaganda for birth-control and the corresponding spread of the loathsome practice. This propaganda is growing apace and assuming ever larger dimensions. It has advocates in every profession and rank of life. It operates with the most seductive arguments, and makes the most extravagant claims in its own behalf. One of its ardent advocates says: "There is no other subject of such importance as Birth Control. Knowledge of it marks a new and happier phase in the history

[1] Birth-control is intimately connected with eugenics, as Dr. Havelock Ellis has emphatically stated: "The only practical instrument by which eugenics can work is birth-control." On another occasion he amplifies this declaration: "The only method which comes before us today as a reasonably practical instrument, whatever its defects, for effecting the limitation of the family and eugenically molding the future race, is the method of contraception, henceforth probably the only legitimate and practicable form of birth-control. It is practically a new method, and as yet it has not had a measurable influence in restraining the ever-increasing flood of human fertility. So vast and menacing is the evil to be fought that birth-control will need to be applied on a scale as yet undreamed of, if that devastating flood is to be stayed" ("Why is Birth Control Necessary?" in *Plain Talk*, December, 1927).

of civilization." How it has distorted the moral judgment of some appears in the following quotation: "There could be no greater contribution to the morality of the world and to marital happiness than Birth Control" (William Allen Pusey, M. D.). At the root of the contemporary birth-control campaign lie several tacitly accepted and sometimes frankly stated unchristian principles. These are the denial of the higher purpose of life and the spiritual character of man, the negation of the probationary nature of our earthly existence, the assertion of the irresistibility of the sex impulse and a false view of self-realization. These fatal errors have induced modern ethics to make the most degrading concessions to man's lower self, and to map out for him a course of conduct that can be defended only on the assumption that he is merely a carnal and sensual being, destitute of the power of rational self-control. The Catholic Church, staunchly upholding the doctrine of man's spiritual destiny, cannot but reject these unworthy concessions which so utterly debase man and surrender him completely to the insistent demands of the flesh. In this battle for the rights of the spirit against the encroachments of the flesh she stands almost alone at the present day.

"The Birth Control campaign which has devastated the sexual morality of England during the past decade will continue for a long time to come. It is commonly

said by the promoters of the campaign that the Catholic Church is the chief enemy. We gladly and proudly plead guilty. And the Catholic Church will fight this moral disease to the bitter end. There is no remote possibility that the Church will ever be won over to this cult of modern materialism'' (Rev. T. E. Flynn, Ph.D., N. C. Congress, Manchester, 1926).

The Ethics of Birth-Control

Birth-control as commonly understood is the limitation of offspring by voluntary and artificial prevention of conception. Its essential constitutive is the deliberate frustration of the marital act, either by voluntary interruption, the use of chemicals, or the employment of mechanical devices. It really places no restrictions on sexual intercourse itself, but merely prevents the natural consequences of this act. This thwarting of the intentions of nature is the specific feature that calls for condemnation on ethical grounds. However one may try to twist the matter, birth-control in the sense described can only be regarded as an abuse of the marital relation, which is thus diverted from its primary purpose (procreation) and exclusively directed to its secondary purpose (personal gratification). The order intended by nature and by God, of whose will nature is but the expression, is thereby upset. The marital act performed in this manner has in it an element of the unnatural, and must be pronounced a perver-

sion. To nullify the will of God by misapplying the faculties which He has bestowed, and for which He has provided a definite use and specific end, is manifestly immoral.

Dr. T. E. Flynn succinctly and lucidly puts the argument: "I have indicated that man's tendencies or appetites are clearly directed to certain ends of nature. With the appetite there goes a faculty for the pursuit of the object of the appetite, and often some corresponding bodily organ. Appetite, faculty, organ, end or object, are obviously related to one another, and each may serve as an index to the others. Our first criterion then is this: the act of a faculty is naturally good when it pursues the natural object of the corresponding appetite; it is always bad so to use a faculty as to oppose the realization of the natural end of that faculty. . . . Now, the proper end of the sexual faculty is procreation. To exercise that faculty while preventing conception is unnatural, and so unlawful. . . . The advocate of birth-control may be unskilled in Ethics, but he has a natural feeling of the rightness of its conclusions, and he instinctively counters this argument by suggesting that the end of the sexual faculty is not procreation, but the physical expression of love. That is one object of the appetite, but only a proximate object. The immorality, the breach of the Natural Law, is not in the pursuit of the proximate object which is quite good as far as it goes, and which is designed as a means to ensure the full carrying out of the law of procreation, but in simultaneously frustrating the ultimate end. Just so, there is no harm in savoring one's food; but the idea of eating for the mere pleasure of taste to the exclusion of digestion is unnatural; hence our disgust at the old Roman vomitorium" (*loc. cit.*).

The first reaction in an unsophisticated mind to a proceeding so patently adverse to nature's intentions and possible only by recourse to an artificially devised technique, is one of revulsion. In this unreasoned emotional reaction a profound moral intuition manifests itself, which is given to man for his guidance, and which should not be set aside as irrelevant. It is true that this natural sense of right and wrong in this particular matter has been much blunted, and in some cases perhaps entirely deadened by persistent propaganda chiefly of the sentimental type, but an uncomfortable stirring remains in all but the most callous. There are few that are able to persuade themselves that in practising birth-control they are actuated by high moral motives, and not yielding to the dictates of selfishness and the promptings of sensuality. The appeal to economic necessity especially indicates that they are vainly trying to salve their self-respect.

The most ridiculous argument advanced by the advocates of the practice is that it really constitutes a form of self-control. This sophism plainly shows that man feels his dignity outraged by a course of abject abandonment to sensual indulgence, and that he tries to invest it with an appearance of moral discipline, however absurd the attempt may be. There is in the whole proceeding no evidence whatsoever of moral restraint. There is no question of a discipline imposed on the

passions, not the shadow of self-denial. In fact, there is no restraint at all, but merely an artificial prevention of consequences which has not the least moral value. Ugly though it may sound, it is yet true what Father Vincent McNabb, O. P. ("From a Friar's Cell," Oxford), says: "These methods include two elements—marital intercourse with full sensual gratification, and such physical or mechanical interference with the marital act or its effects that generation is stifled or prevented. It will be seen at once how, by the adroit phrase 'birth-control,' we are almost prevented from realizing that the course of action propagated by the Neo-Malthusians is really *lust uncontrol.*"

Professor Dr. F. W. Förster also calls attention to the specious character of the contention that birth-control means mastery of nature. "These arguments," he writes, "are sufficiently plausible to be in the highest degree dangerous. Yet, it is easy to reply to them. In the first place, we readily admit that the sphere of sex should be subjugated to the human spirit; nay, we might go further and even define sexual ethics as the complete subordination of our sexual conduct to our life as a whole, with all its fundamental interests and responsibilities. But nothing could be more radically false than to imagine that the methods of Neo-Malthusianism mark an advance in the subordination of nature to the spirit. It must be obvious to every thinking person that precisely the opposite is the case. The perfection and popularization of these practices will not assist men to master their instincts and passions, but will on the contrary make it easier than has ever before been the case

for man's sexual and animal self to dominate the will and the spirit. For the artificial prevention of conception does not in the least control or discipline the sexual feeling itself. It merely frees it from producing its normal results: and it is these very results which have, in the past, so powerfully contributed towards self-discipline and self-control. Remove the proper and natural consequences of sexual intercourse, and a controlling factor of the first importance has been eliminated. We may therefore assume with the utmost confidence that the subjection of men and women to their sensual passions will rapidly increase with the increase of Neo-Malthusian methods. It will increase, moreover, for this further reason that the prevention of conception causes the sex instinct to concentrate itself, in a most unwholesome and dangerous manner, upon mere barren pleasure: here we have naked sensuality, stripped of all the nobility, sanctity, and responsibility which attach to the normally directed sexual impulse, associated at it is with creation" ("Marriage and the Sex-Problem," New York City).

The underlying fallacy of the birth-control plea is also clearly pointed out by Father Henry C. Day, S. J. ("The New Morality," St. Louis, Mo.), who writes: "The sophism of this fundamental ethical position is apparent. Artificial prevention is a purely physical, and in no sense a moral subjugation of nature. There is no conquest, nor indeed any attempt at conquest of the passions. Only their natural consequences are prevented. Now, the prevention of these natural consequences in no way assists to control sexual passion, or to submit it to the rule of the spirit. On the con-

trary, it enormously strengthens the sex impulse, and enables it to overrule and dominate reason."

Contraceptive practices rob marriage of its finer elements, and reduce the conjugal relationship to a mere instrument of sensual gratification. This is admitted even by those who do not entirely accept our point of view. Thus, for example, Professor A. D. Lindsay and Mrs. A. D. Lindsay argue: "Now all decent people would agree that mere pursuit of pleasure is a degradation of marriage as of other human activities. Agreement with the condemnation of the pursuit of marriage as pleasure does involve an acknowledgment of possible dangers that lie in a general use of contraceptives. For these may be and sometimes are used merely to eliminate responsibility and restraint in marriage, and so used they are evil. The restraint that has always had to be used to some extent in decent marriage is, after all, not an impoverishment of marriage, but of the essence of it at its best. To be enabled to gorge without indigestion is no enrichment of life; it is not life at all in any high sense of the word, but decay. Release from restraint in marriage means deprivation both of the responsibilities and privileges that belong to living our part in that great process, the character of which is determined as much in conscious and significant restraint as in seasoned and significant activity" ("The Conscious Limitation of the Birthrate," in *The Hibbert Journal*, January, 1924).

Birth-Control and Woman

The advocates of birth-control make a great show of promoting the interests of woman. In this they are laboring under a severe illusion.

Motherhood is the protection of woman against the ravages resulting from an unrestrained and irresponsible sex life. Woman is the first to suffer when the sexual relation is freed from its natural restraints and responsibilities. She will then soon become the victim of the uncontrolled sex desires on the part of the male. Along that line lies the degradation of woman. Only those who are blind to the experiences of the past will fail to see this. Let us listen to Father Day (*op. cit.*): "A specious humanitarian argument is based on the liberation of suffering women from the burden of excessive child-bearing. On this ground, at least, may not the Neo-Malthusians be recommended? Again the answer must be in the negative. The relief of these methods is apparent rather than real. Any immediate alleviation they might afford in some cases is wholly incommensurate with the additional burden of suffering, physical and mental, which they entail. Moreover, the breaking-down of the restraints on sexual passion, which we have seen to be involved in these practices, has a special tendency to brutalize the male sex, and to render the man selfish and reckless. Now, the horrors and cruelties arising from this source would be intensely more terrible and destructive to female happiness than the worst sufferings of the most excessive child-bearing."

Dr. John M. Cooper writes in the same strain:

"Remove motherhood or prospective motherhood, or tamp it down; do away with the maternal element in the marital relation, and the way is all too often made straight and smooth for the man to look upon his wife as primarily a thing instead of a person, as primarily a mere instrument for satisfying his animal passion, instead of looking upon her as the honored, revered, and cherished mother of his children. The descent is not from the human to the animal plane. The descent is from the human to the subanimal plane" ("Birth Control," Washington, D. C.)

Woman's happiness depends very largely upon the general atmosphere of the home life. But birth-control tends to drag home life down to the lowest levels of selfishness and to blot out the finer qualities of chivalry and respect. In such a sordid atmosphere neither woman nor anyone else will be able to find genuine happiness. We quote from a paper read at the National Catholic Congress, Manchester, 1926, by Dr. E. Somers, J.P.: "Having been in practice for many years," he said, "he had been more impressed with the tragedy of the sterile family than with the tragedy of the large family which had outgrown its economic part, more especially with the tragedy of the sterile woman who had thought fit to delay conception until her economic position was possible, when she had got well off, and had paid for her hired furniture. Then many a woman had

desired a child, and it was then that outraged nature stepped in and refused to act at her bidding. It was a common and serious tragedy, and greater than the tragedy of the large family because of its hopelessness." Likewise Dr. Halliday Sutherland: "Birth-prevention cannot lead to happiness in marriage, because, plainly, it places the self-respect of two people at the mercy of an animal instinct, neither satisfied, controlled nor denied. Once the natural check of pregnancy can be safely ignored, passions may be gratified—either within or outside the marriage bond—without the responsibility or publicity of children. The number of childless unions dissolved in our divorce courts is an index of the unhappiness following marriages in which the primary end of marriage is defied. If contraception methods are suggested merely to space the arrival of children in relation to available income, two objections must be considered: first, it is easier to raise children more or less of the same age, because they educate each other in the nursery; secondly, the attempt to space a family is often followed by sterility" ("The Fallacies of Birth-Control," in *The Forum,* June, 1927).

It may also be remarked that the practice of birth-control places a severe strain on the nervous system, and is not rarely followed by disorders of various kinds. The woman especially suffers under this condition. We quote Dr. Sutherland

(*loc. cit.*): "Contraception is unphysiological, because, apart from preventing pregnancy, it inhibits farreaching physiological processes which result from normal intercourse, by reason of the absorption of certain vital substances which have a beneficial influence on the metabolism and health of the female. Every known method of birth-prevention hinders or prohibits this beneficial absorption. It is not surprising that the majority of gynecologists should have concluded, from clinical observation, that contraception, far from being beneficial, is positively harmful to women." Let us remember that child-bearing is a natural process intended in the economy of life, and is for this reason life-enhancing and health-promoting. Says Dr. J. A. Ryan: "The insinuation that frequent pregnancies are in themselves harmful to the average woman is simply not justified by experience. Such a result sometimes happens in the case of poor mothers, but the true cause is malnutrition and overwork, not the mere number of the pregnancies. Here, again, the genuine and the just remedy is a living wage for the father" ("The Church and Socialism," Washington, D. C.). "Innumerable opinions of specialists in women's diseases indicate that it is not regular pregnancy that affects the woman's health. Conception, pregnancy, nursing, are the proper and natural functions of the female body. Prevention of conception, interruption of preg-

nancy, and wilful sterility are unnatural, and therefore prejudicial'' (Dr. J. B. Schwab, ''Eheschliessung und Eheleben,'' Donauwörth).

The Child in the Artificially Restricted Family

There is no evidence that the child of the voluntarily limited home is in any way superior to that of the large family. The control exercised is merely quantitative, and in no sense qualitative. On the other hand, the environment of the limited family is likely to affect the child in an unfavorable manner, and this for more reasons than one. The atmosphere of the limited family, impregnated as it is with the miasma of selfishness and self-indulgence, will prove disastrous to the upbuilding of character. The absence of other children will encourage the acquisition of selfish habits, and prevent beneficial social adjustments. The softness of the small home, made comfortable and easy at the price of artificial restriction, undermines moral stamina and renders the child unequal to the sterner tasks of life. ''There is no real evidence in support of the assertion that birth-prevention benefits such children as may be born. The health of the children in 500 very poor families selected in Hull was ascertained by Dr. Helen Gamgee. These families were divided into those having over five children and those having

under five children. The health of mother and children was found to be better in the large families" (Dr. Sutherland, *loc. cit.*). We may also quote Dr. J. A. Ryan: "Advocates of birth-control profess to aim at quality rather than quantity. Yet, the practice is adopted mainly for the purpose of satisfying material wants and reducing hardship to a minimum. All experience shows that capacity for sacrifice is a necessary condition of achievement. The power to do is conditioned by the power to do without. Husbands and wives who ignore this law gradually diminish their own capacity for endurance and sustained effort, and withhold adequate training in these capacities from their children. Such an environment fosters selfishness, laziness, flabbiness of will, and mediocrity of intellect" (Debate on Birth-Control, in *The Forum,* July, 1927).

Growing up in a family of normal size is an incomparable advantage, and makes for success in life, whereas being reared in an undersized family constitutes a decided handicap that frequently results in utter failure. A recent survey, conducted by Professor Ellsworth Huntington of Yale University, has shown that the leaders of men usually come from large families (*Yale Scientific Monthly,* 1927). Accordingly, birth-control does nothing for the child in a larger way. It fails to enhance its chances for success, nor does it ensure an all-round superior training. At best it

may better the material condition, but that may prove a ruinous stumbling-block.

"Furthermore," argues Dr. Cooper, "the one-child regime, so common among those who are given to contraceptive measures, only too often makes for the spoiling of the child. It does not do so always, it is true, for human things do not work out by rule of thumb, but it does so in so many cases that the lone child has become the proverbial exemplar of selfishness and spoiled possibilities, unhappy and the cause of much unhappiness to others throughout his or her life" (*op. cit.*). France has had considerable experience with regard to the effects of birth-control. We may, therefore, listen with profit to a voice from that country. Msgr. Gibier, Bishop of Versailles, is the spokesman. These are his words, inspired by concern for his people: "The family which commits suicide, is a misfortune that cannot be too deeply deplored. It is a misfortune for the family itself. When the family has only one son, this only son is often a spoiled child who saddens the heart of both father and mother by his egotism, or perhaps death snatches him away from the fireside that is henceforth deserted for ever. When, on the contrary, the family is numerous, the other children remain to console the parents by dint of their love: if one or two branches are ravished, the green boughs are still sufficiently numerous for the tree to preserve its vigor and its beauty. 'When I consider those who mount and those who descend the social ladder,' says Paul Leroy-Beaulieu somewhere, 'I see that those who mount wear sabots and those who descend wear patent leather shoes.' The house that has many children is almost necessarily the school of work, of privations and of sacrifice; the factory where energies are forged, where characters are tempered; the

hive wherein the elder become the vigilant protectors of the younger—wherein those who are physically the stronger facilitate the ascent to liberal careers of those who are the more intelligent. Just as the family of many children is vital and rich with future promises, somber and languishing in an equal degree is the family which courts suicide through sterility. It creates its own misfortune, and also the misfortune of its country. France occupies a prominent place in the world as the standard-bearer of the noble ideas of right, justice, honor and religion. But what will become of her if she has no children, or if she has but an insufficient number? She then becomes incapable of maintaining her place, of accomplishing her mission, of exercising her influence'' (''Les Reconstructions Nécessaires,'' Paris).

Birth-Control and Race Betterment

Here the eugenists themselves admit almost complete failure. Birth-control has so far worked dysgenically. The desirable stocks have not increased as the eugenists expected them to do. Those who, according to the eugenists, ought to have numerous children, refuse to have them. No amount of exhortation can induce them to abandon their selfish practice. The result is, not only a continuous decline in population, but a deterioration as well. If this process goes on, we will steadily and inevitably drift towards a stationary condition which will prove detrimental to human progress and civilization. The downfall of nations in the past has been heralded by a

decline in the birth-rate. "In our time," writes Polybius (circa 150 B.C.), "all Greece was visited by a dearth of children, and a failure of productiveness followed by our men's becoming perverted to a passion for show and money and the pleasures of an idle life, and accordingly either not marrying at all, or, if they did marry, refusing to rear the children that were born, or at most one or two out of a great number, for the sake of bringing them up in extravagant luxury." This echo coming to us down the corridor of time describes very accurately the situation prevalent in our own days. It is not economical necessity that has made birth-control popular, but rather the love of luxury; for birth-control is chiefly practised by those who could raise big families in moderate comfort, but whose mind is bent on luxury and display that swallow up their income. No change will come, therefore, unless there is a radical change of mind and a return to greater simplicity of life. The love of luxury ushers in national decay, and presages ruin.

"The practice of contraception is incompatible with the progress of civilization. In the past it has been associated with the decline of great civilizations. It may be that birth prevention was the cause of their decline, or that birth prevention was one sign of a moral breakdown antecedent to national extinction. . . . From the history of dead nations it would appear that race suicide is the mediate but not the ultimate cause of national decay; that it is but one expression of moral

weariness pervading a civilization whose force is spent; and that the suicide of a race demands less resolution than the suicide of an individual'' (Dr. Sutherland, *loc. cit.*). Cfr. also ''Birth Control: A Statement of Christian Doctrine against the Neo-Malthusians,'' by the same author (New York City).

It is foolish to think that we can restrain the extent of birth-control at will on prudential grounds. Once it receives moral sanction and social approval in some cases, it will go on spreading in every direction to the great detriment of the nation. It will not even halt at national suicide. National suicide comes far more easily than individual self-destruction. The prospect of national extinction will terrify very few, nor will it deter them from a practice adopted from a desire of greater ease and unlimited enjoyment of pleasure. National salvation is ensured only if birth-control is unequivocally condemned as morally wrong under all circumstances. If it is made a matter of expediency, every one will judge that the conditions justifying it are verified in this particular case. In morality loopholes are absolutely fatal. The great moral imperatives grow out of life itself. They are, therefore, the protection of life. To ignore them is suicidal for the individual as well as the nation.

''Contraceptive practices invariably increase the sum total of human selfishness, decrease the capacity to endure and to achieve, and cause a decline in numbers.

While highminded believers in birth-control may denounce it as wrong when adopted for the sake of ease, their denunciation is futile. Once men and women reject the principle that contraception is bad in itself and always bad, once they adopt the opinion that it is good in the presence of hard circumstances, they claim the right to decide for themselves when the circumstances are sufficiently hard. Hence, the intrinsic principle is the only one that is comprehensive and effective'' (Dr. Ryan, *loc. cit.*). Utterly futile, therefore, is the distinction which Mr. G. A. Studdert Kennedy makes between moral and immoral birth-control. Selfishness will readily efface this thin line and take no notice of it. His argument, though plausible, is essentially sophistic. It runs as follows: ''The real danger of sex lies in its power to become an unrestrained obsession. The gospel of expressionism, encouraging us to let ourselves go, is morally disastrous. This gospel—largely a reaction against unwholesome Puritanism—leads to bad birth-control. Men and women shirk the duty of parenthood altogether, or are content with one or two children when they could easily provide for and educate more. This is morally wrong, and those who do it will pay the penalty, for a thwarted parental impulse is fatal to the real marriage relation'' (''Is Birth Control Right?'' in *The Forum,* July, 1927). So far we can accept the writer's views, but now comes the dialectic juggling. The writer continues: ''The power of controlling conception has come to stay, and its coming is fraught with tremendous possibilities for good or evil to the human race. A new responsibility is laid upon men and women. Everything finally must depend upon a wholesome public opinion, and that can only come into being as the great multitude of fathers and mothers act together, with sound medical advice, as seems best for their

families and the preservation in beauty and love of their own love. Whether contraceptive methods are right or wrong depends entirely upon the motives with which they are used. Knowledge of the best methods ought to be easily accessible to every married couple, rich and poor alike, and careful teaching as to the responsibility involved ought to be part of the preparation for marriage which every couple ought to make.'' Startling is the ignorance of human nature reflected in this passage!

Birth-control hurts human welfare by leading to underpopulation and national decline; it hurts also, though in a subtler manner, by bringing about moral disintegration. Birth-control is a yielding to the pleasure principle, and is therefore destructive not only of heroic virtue but of ordinary morality. It springs from selfishness, and will in turn intensify this selfishness whence it came. It places in the forefront self-gratification, and will stifle in men the willingness to make sacrifices either for the sake of higher spiritual values or for the social good. In its wake will follow carnalmindedness and egotism. Where these prevail, nations cannot live. With deep psychological as well as ethical insight, Dr. W. F. Förster (*op. cit.*) writes anent this inevitable moral deterioration: "We may, therefore, feel absolutely certain that along these lines can come nothing but injury to the human race—even if it were assured (which is far from being the case) that these methods would result in the birth of

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none but the most desirable children. Moreover, this result presupposes a superhuman degree of responsibility and selflessness—the very qualities, it will be observed, which will suffer most under the Epicurean philosophy which stands behind the artificial restriction of the family. While speaking of the question of racial health, we may remark that it should never be forgotten that, not only in the case of the individual but in that of the race too, the strengthening of character and the establishment of the spirit as ruler over the body is the foundation of all health. For this reason, a married life in which all motives for the overcoming of self have been artificially eliminated must necessarily lead in the direction of racial degeneration."

That flesh which has thus been pampered will ultimately overwhelm the spirit, and with its insatiable demands become for man an intolerable burden and a veritable scourge. In this sense we agree with the Rev. Leonard Hodgson, M.A., who writes: "The traditional teaching of the Church on the subject of birth-control sometimes sounds out of date. But to those who take a long view, it is the teaching which has the future in its keeping. Let us suppose that its message goes unheeded, and that, in a widespread revolt from all that seems oldfashioned, men and women generally solve their problem by the use of physical means to avoid childbirth. Sooner or later there will surely come a great weariness of bondage to the passions of the flesh: the spirit of man will not be for ever content to meet its difficulties by avoiding them; it will long to assert

itself, crying out that it will be free'' (''Birth Control and Christian Ethics,'' in *The Hibbert Journal,* October, 1923).

Birth-Control and Continence

Circumstances may arise in which it will be expedient to limit the number of children or to space their arrival. Reasons that suggest such a course are either of an economic or hygienic nature. Such reasons are far less frequent than is usually supposed. Many in this respect are inclined to exaggerate their difficulties and to be easily alarmed. An increase of the family is often regarded as a tragedy by those who could easily provide for the newcomer if they were only willing to retrench their luxuries and to modify their style of living. Here also selfishness plays no unimportant part, and exerts a veritable terrorism over the minds of men by creating fears where there is no reason for fear. Of course, the rearing of a fair-sized family entails sacrifices, and calls for much curtailment of pleasure and renunciation of liberty. But it has also its wonderful compensations, and brings an overflowing measure of genuine happiness. We should not too willingly listen to the voice of carnal prudence that tries to make it appear that an addition to the family will prove economically disastrous or ruinous to the health of the mother. Motives that urge family limitation are always

open to suspicion and ought to be carefully scrutinized.

With qualifications we accept the following statement of the situation: "Now, on the first question, it must surely be generally agreed that birth-control of some sort or other is not merely permissible: it is often a positive duty. It is sometimes argued by rash controversialists, to whom the very term birth-control is anathema, as though the only motives which could ever lead to a man's desiring to limit the size of his family were selfish and unworthy motives. A man may honestly be conscious of a vocation to work which he can perform efficiently if his family be small, but in which he will be severely hampered by financial embarrassment if it be large. Again, a man may know that to subject his wife to the frequent bearing of children will be unjustifiable and unchristian cruelty. So far nothing has been said which is not in agreement with the traditional teaching of the Church. But now the more difficult question must be faced of the methods of birth-control" (L. Hodgson, *loc. cit.*). And Father Day: "In this connection it must be remembered that the Divine and natural law to increase and multiply is conditioned, as all positive law, by circumstances, and that moderation has its place in marriage as in all other natural functions. Moreover, the use of marriage is always at the discretion of the partners and subject to their mutual consent" (*op. cit.*).

Yet, though rare, situations may occur where the birth of another child will be an intolerable economic burden or endanger the life of the mother. In that case, there is but one way out of the difficulty. That way is abstinence from

sexual intercourse. Admittedly, this is a hard path to travel for married people, but it is not impossible. With the grace of God, continence can be practised in the married state. Such continence, if accepted for high motives, will carry with it its own rewards. It will enrich the love life, reinforce the mutual affections, enhance mutual respect, and invest the home with new sanctities.

"The Catholic position on the limitation of offspring is frequently misunderstood. It does not hold that married couples are under obligation to bring into the world the maximum number of children. It holds no brief for imprudence or intemperance. It does emphatically stand for marital chastity against artificial prevention of conception. If a married couple elect to practise continence and thus limit the number of offspring, they will not be infringing on Catholic principles. Such limitation by continence may at times be distinctly to be advised, as, for instance, when the mother's health or life would be seriously jeopardized by further child-bearing, or when real destitution may result from further additions to the family. But limitation of offspring by artificial prevention of conception is of its very nature immoral, and immoral means are not justified by ends however good" (Dr. Cooper, *op. cit.*).

This austere Catholic teaching does not ignore the realities of life, but it takes into account, not only the superficial, but also the deeper realities; and it is loyal to life as a whole, and not merely to its partial aspects. It views with sympathetic

understanding existing difficulties, and in this case especially the difficulties of women; and, because it sees clearly, it refuses to offer a remedy which is worse than the evil. It holds that suffering is infinitely better than degradation and brutalization, and that spiritual freedom in pain is more desirable than voluptuous enslavement. It is not deaf to the complaints and grievances of women, who lose youth and health in child-bearing; but it does not allow sentimentality to obscure its vision. It will tell husbands that they must practise self-restraint in conjugal intercourse, and that their wives demand consideration. But, as interpreter of the law of God, it insists that married people must not attempt to gratify their passions and at the same time evade the natural consequences of their actions. Married people after all enjoy the special graces of a sacrament which will enable them to meet the difficulties of their particular state. These difficulties are not insuperable. And plenty of Catholics prove this fact by their blameless lives.

The joint-authors of "The Conscious Limitation of the Birth-Rate," though not absolutely condemning birth-control, look on it with disfavor and give a nobler counsel: "If for good reasons we have to decide not to have children, we shall be happier and freer men and women if we do not rest content with ways of avoiding them that involve a continual cutting off or undoing of what we do, but rather look for ways other than the one physical act in which our physical love

can find free expression and make life sweeter.'' What the writers timidly propose as a counsel of perfection, the Church imposes as the inescapable norm.

A comprehensive knowledge of life inspires the uncompromising attitude of the Church towards birth-control. The future will prove that, by condemning this practice as inherently and inalterably wrong, it has rendered a service of transcendent value to humanity and forestalled the most horrible corruption. By her high-principled resistance to a separation of the sex life from its restraining responsibilities, she protects the race against the tyrannical subjugation to the sex instinct by which fallen humanity is always threatened.

CHAPTER III

THE CHURCH AND RACE IMPROVEMENT

The sadly afflicted human race is heir to many ills that are transmitted from generation to generation with a certain fatality and cling to mankind with the relentless tenacity of a shadow from which there seems to be no escape. By some misfortune baleful racial poisons got into the stream of life, and are now being carried along from age to age. As time goes on and the stream of life broadens and ramifies, the racial pollution spreads and increases. To accept this condition of things as irremediable, and to acquiesce supinely in its continuation, would bespeak a fatalism characteristic of the Orient but utterly foreign to Western civilization, known for its enterprising spirit and aggressive qualities. Numerous evils to which the Eastern World submitted with dull and stupid resignation, the West has succeeded in abolishing. No evil has a right to exist. Every evil can and may be removed. The world can be made a better place to live in, and humanity can be improved both physically and morally. That is Christian optimism. True,

there are limits to the perfectibility of this sublunary world, but no one will dare to say that these limits have as yet been reached. We are still far from the goal of what may be achieved in the way of human betterment. Progress is writ large over the pages of human history. At times the onward march may come to a temporary halt, but an absolute standstill there never has been. Undaunted by failure and with indomitable energy, mankind pushes on and forges ahead.

The thought, therefore, of cleansing the currents of life from the contamination by which they have been befouled, and restoring the purity which they possessed at the source, is not in itself absurd or unethical, though it may be made both by the improper means that are suggested for its realization. There is no valid reason for believing that it is impossible to eliminate at least to a very large extent the racial poisons which have come to infect mankind, and which each generation inherits from the preceding one. Some diseases that once cursed our race have been stamped out, and others under which we are still smarting are in a fair way of gradually disappearing. The dread legacy of racial pollution need not be perpetuated. The quality of life can be improved. The level of general physical well-being can be raised.

The idea of race-culture in the sense of restoring mankind to normal conditions of health and efficiency is, accordingly, not so fantastic and grotesque as some would make it appear. Much can be said in its favor. Of course, all depends on the ideals which the race-culturist sets before himself, and the methods which he adopts for the attainment of his ends. All in all, however, the vision of mankind conquering its insidious foes and delivered from the horrible scourges that have ravished it in the past, is not without attraction. Even if all preventable disease is done away with, there still will remain enough to plague us and to give us ample opportunity for the cultivation of patience, resignation and other virtues. It is not contrary to the intentions of Divine Providence if we attempt by lawful means to reduce the bulk of human misery to a minimum. The vanishing point we know will never be attained on this earth, which groans under the curse of God and will always even to the end of time remain a vale of tears. But, withal, the measure of woe which now afflicts mankind is overflowing and may be considerably reduced. The burden of disease that now weighs on the shoulders of the human family can be lightened, and men will be better fitted to accomplish the tasks which God wishes them to fulfill. There is no merit in staggering under unnecessary burdens that can be cast aside. In gen-

eral, we may safely say that racial betterment, understood in the sense set forth, is thoroughly in accord with Christian morality.

It will not be difficult to show that the Church has done tremendously much for the improvement of the race, and that she is the most powerful and efficacious agency of racial betterment that ever existed. Though seemingly engrossed by the issues of another world, she has nevertheless promoted in no small degree the temporal welfare of man along every conceivable line. It is no exaggeration when Montesquieu says: "The Christian religion, whose one aim is to lead us to eternal happiness, contributes very substantially to our earthly happiness and wellbeing." Of this history is the eloquent witness. Christianity has more than once saved civilization from disintegration and humanity from degradation. We will not be in the least surprised if it also has some worthwhile contribution to make towards racial improvement, and if it turns out to be a potent factor in the physical regeneration of humanity. In fact, race-culturists commit a serious blunder when they leave Christianity out of their schemes, or when they make proposals that run counter to Christian morality. The social reformer has discovered that but scant success attends his efforts unless they are reinforced by religion. The race-culturist will have the same experience.

Eugenics

On account of the radical tendencies and the immoral proposals of some of its advocates, eugenics has been seriously discredited. In this respect it has fared no worse than many other new movements that had to live down the bad reputation brought upon them by the indiscretions and excesses of their early supporters. We associate with Eugenics proposals that outrage human dignity and fill us with disgust. Rightly so, for such proposals have actually been advocated in the name of Eugenics. Still, this is not the whole story, for, though Eugenics has a fringe of fanaticism about it, it also possesses a kernel of good that is worthy of our consideration.

Father Thomas J. Gerrard takes the same view: "Because of its intimate bearing on family and social life, and the number of official questions which its programme and methods raise, it demands the attention of every Catholic who is alive to the needs of the faith and to his civic duties, and is interested in the common welfare. For the movement, although it has attracted to its support a number of cranks and faddists, is not likely to pass away like a temporary fashion. It will have a great deal of influence on our future history, and we must do all we can to secure that this influence will be for good and not for evil. We cannot deny that, as seen at present, there is much in the movement that is opposed to Catholic principles. But at the same time

there is much in it that is in harmony with Catholic principles, and indeed highly conducive to the end for which God's Church exists. It were, therefore, most unwise either to approve or condemn the movement without certain distinctions and reservations'' (''The Church and Eugenics,'' Oxford). That the subject is eminently timely and highly practical is proved by the significant fact that a book dealing with the matter in a Catholic spirit reached its tenth edition in the brief space of a few years. The title of the work is: ''Vererbung und Auslese.'' Its author is the well-known biologist, Father Hermann Muckermann, S.J. From this and other indications we are justified in concluding that a Catholic system of eugenics is in process of formation.

Instead of simply condemning the movement in its entirety, we will try to separate the grain from the chaff, and see to what extent it can be made to serve good purposes. Various Catholic writers have recently come to the conclusion that the basic ideas of eugenics may be detached from the excrescences with which they have become overlaid, and be restated in a manner that is acceptable to Catholic consciousness. Thus, Dr. Ernest C. Messenger writes: ''Some English Catholics are in the habit of condemning Eugenics as essentially evil. It may well be that certain aspects of eugenical propaganda in this country merit this description. But it is surely hardly fair to condemn a movement root and branch be-

cause of the excesses of some of its overzealous advocates. Our own English Eugenical Education Society is fairly moderate in its official statement of aims, and the utterances of its President, Major Leonard Darwin, are as a rule very much on the conservative side. In Belgium it is surely a fact of some significance that there exists a flourishing Eugenical Society, which has the active coöperation of Father Fallon, S.J., and of other priests as members. This would seem to justify the inference that there is a Eugenics which Catholics can and ought to agree with and help."[1] In our country unfortunately the movement has assumed a much more radical and objectionable form, but that only constitutes for us an additional reason to familiarize ourselves thoroughly with all its aspects and to endeavor to retrieve it from its grossness and restore it to saner proportions.

Of the fairness with which Catholic theologians are wont to approach a movement, even though by its intolerance and extravagance it has forfeited every right to consideration, Father Thomas Slater, S.J., gives an excellent example. After mentioning that the theologian has reason to complain that some eugenists have gone out of their

[1] "Eugenics." By Valère Fallon, S.J. Translated by Ernest C. Messenger, Ph.D. (New York City). One need not be a prophet to see that race hygiene in the very near future will be a hotly debated issue.

way to deliver a gratuitous assault on what is dear to theology, he proceeds to say with a great moderation and genuine charitableness which ought to put to shame some of the more violent spokesmen of Eugenics: "In reply to this we may say that the scope and object of Eugenics are truly admirable, and that they already form an important element in the Christian religion. Christianity has always insisted on the virtue of charity, which obliges us to love not only God, but our neighbor as ourselves. Charity embraces the whole, mighty family of God, our Father, future generations as well as the present and past. The object of Eugenics, then, the physical and mental good and improvement of the race of mankind, is part of the object of Charity. If the spiritual good of mankind be added to the list of objects, the end of Eugenics would be identical with that for which the Catholic Church exists and works. Eugenics in this sense is already a dogma of faith and a creed of action for every true Christian. However, theology teaches that true Charity is well ordered. It looks with suspicion on eloquent professions of love for mankind in general, especially when they come from men whose words and actions are full of hatred and malice for the particular specimens of mankind that they come across in everyday life. . . . While, then, theology is quite at one with Eugenics as to the end to be aimed at, it very

cautiously scrutinizes the means proposed for the attainment of that end.'' [2]

Non-Catholic writers also admit that many champions of Eugenics have made in its behalf absurd claims, and thus brought opprobrium upon the movement. We quote Dr. Arthur James Todd, who writes: ''The nascent science has suffered from overzealous propagandists, with the embarrassing result that popular usage plays so fast and loose with the term eugenics that it has come to mean anything from general hygiene and infant welfare to evolution and the control of venereal disease. It has also suffered from overstatement as to its present command of facts and methods. Unfortunately, among the eugenists are numbered some unblushingly assured souls. One of them does not hesitate to aver that the 'individuals have the power to improve the race, but not the knowledge what to do. We students of genetics possess the knowledge but not the power; and the great hope lies in the dissemination of our knowledge among the people at large.' It is a testimonial to the strength of the Eugenics cause itself that it is able to make headway in spite of such rash followers. May it not have been a premonition of just such exaggerations that led Galton towards the end of his life to fear that the new science would do more harm than good?'' [3]

[2] ''Questions of Moral Theology'' (New York City).
[3] ''Theories of Social Progress'' (New York City).

Somewhat similarly the late Prof. Lester F. Ward wrote: "When Charles Darwin taught the whole world the marvelous efficiency of artificial selection, it was no wonder that the idea of applying it to the human race should have occurred to many. His talented cousin, Francis Galton, was the first publicly to suggest such an application. He used the word stirpiculture, and his claim that mankind might be made the beneficiary of this potent principle seemed altogether reasonable. But such a captivating idea could not fail to be seized upon by charlatans and carried to unwarrantable lengths, and very soon the word stirpiculture had degenerated and become objectionable to all refined natures. Galton was, therefore, compelled to abandon it and to adopt another which could not so easily be prostituted to coarse sensual ends, and in 1888 he introduced the word eugenics for practically the same idea. This term has been kept fairly within the pale of science, but it has almost set the world on fire, and now seems to engross the attention of all classes. Many see in eugenics the regeneration of mankind. . . . The present eugenic movement is one of distrust of nature, of lack of faith in great principles, of feverish haste to improve the world, of egotism in the assumption of a wisdom superior to that of nature. If it could have its way, it would thwart and distort the spontaneous upward movement, and create an artificial race of hydrocephalous pigmies. Fortunately its power is limited, and can only produce a ripple on the surface of society" ("Eugenics, Euthenics, and Eudemics," in *The American Journal of Sociology*, May, 1913). Such undignified haste and vaulting ambition have especially characterized the eugenic movement in America, where men allow themselves to be carried away by sentimental considerations, and where immature popular sentiment is crystal-

lized in legislation before reason and experience have had their say. To this tendency Father Fallon refers when he remarks: "Americans were amongst the most ardent advocates of Eugenics. As usual, they have wanted to do things quickly, and they have commended daring, and even brutal, methods" (*op. cit.*).

Under such circumstances it is small wonder that vehement opposition to the movement has been aroused, and that in conservative circles it is viewed with great distrust. It is quite certain that the wild claims of the eugenists must be considerably discounted and their methods radically modified to meet with general approval.

The Meaning of Eugenics

In its present form Eugenics dates no further back than 1883, when Sir Francis Galton coined the term and originated the new movement. Naturally, it took him some time to find a formula that would adequately express his ideas. We have, therefore, from his own pen various definitions of the new science and art, for it not only studies facts but also seeks to apply the findings of these researches to ameliorate existing conditions. In his "Inquiries into Human Faculty," the author describes eugenics as "the science of improving stock, which is by no means confined to questions of judicious mating, but which, especially in the case of man, takes cognizance of all influences that tend, in however remote a degree,

to give to the more suitable races or strains of blood a better chance of prevailing speedily over the less suitable than they otherwise would have had." Later he clarifies his views and arrives at this definition: "Eugenics is the science which deals with all influences that improve the inborn qualities of a race; also with those that develop them to the utmost advantage." It appears from this definition that Eugenics has a negative as well as a positive aim.

Dr. Galton himself sets forth this twofold aspect of Eugenics: "To replace natural selection by other processes that are more merciful and not less effective, is precisely the aim of eugenics. Its first object is to check the birthrate of the unfit instead of allowing them to come into being, though doomed in large numbers to perish prematurely. The second object is the improvement of the race by furthering the productivity of the fit by early marriages and the healthful rearing of their children. Natural selection rests upon excessive production and wholesale destruction; eugenics on bringing no more individuals into the world than can be properly cared for and those of the best stock" ("Memories of My Life"). It is particularly in their constructive program that the eugenists have permitted their imagination to run riot and to indulge in the wildest of dreams. "With the help of the imagination," observes Father Fallon, "people dreamed of a regenerated humanity, of a superior race of men, sound in body, mind, and morals, capable of a powerful, well-balanced, and happy life. Renan's great man, Nietzsche's superman, would cease to be exceptions, extraordinary phenomena, or fortunate anomalies; they would become the

ordinary types which would people the earth'' (*op. cit.*). For such exaggerated expectations there is not the slightest warrant in the experiences of the past. Man's progress has not been biological but social. A race of supermen, perfect in mind and body, will never inhabit this earth. Such a race is a mere dream-vision, and it is quite questionable whether it is a beautiful one. Even otherwise enthusiastic advocates of Eugenics have no faith in such dreams. Thus, Prof. Edwin Grant Conklin writes: ''It is conceivable, though not probable, that the time may come when we may learn how to produce human mutations, possibly how to produce good mutations. But at present this is merely a dream, and there is no likelihood that it ever will be realized. Important, therefore, as eugenics is in bringing about better combinations of hereditary traits, it does not hold forth the promise of endless progress. For at least one hundred centuries there has been no notable progress in the evolution of the human body. The limits of physical evolution have apparently been reached in the most perfect specimens of mankind'' (''The Direction of Human Evolution,'' New York City).

Officially, Eugenics has been defined by the Eugenics Education Society as ''the study of the agencies under social control that may improve or impair the racial qualities of future generations either physically or mentally.'' Dr. E. W. MacBride suggests as a less ambiguous and ambitious definition the following: the application of our knowledge of the laws of heredity to improving the quality of the human race.

Eugenics then, as is evident from the preceding

definitions, is not concerned with every possible improvement of the human race, but only with that which is effected through control of germinal characteristics. There remains ample room for other agencies such as euthenics and eudemics.

Dr. Roswell H. Johnson warns against looseness in the use of the term which would result in hopeless confusion. "Galton," he says, "used the term inborn always in reference to the germinal characteristics, in contradiction to the acquired body characteristics. He strictly concerns himself only with heredity. Let us hope that it is not too late to save the word eugenics from the disuse into which it will fall if it becomes so inclusive as to lose the value that arises from an apt distinction. Let us use the word only in the good, pure, Galtonian sense: Eugenics is the science and art of the control of human, germinal characteristics. As an adjective, eugenic is applied only to those agencies or influences which improve the aggregate of human, germinal characteristics" ("Eugenics and so-called Eugenics," in *The American Journal of Sociology*, July, 1914).

The Progress of the Movement

The progress of the movement has been rapid. Its aims have caught the popular fancy and stirred up much enthusiasm. As is usually the case with such popular movements, sentimentality has largely featured in it, and not infrequently eclipsed reason. With some it has almost become a religious cult, and others regard it as a panacea

for all human ills. By its enthusiasts it has been led into very devious paths and brought into serious conflicts with traditional morality. It has also become entangled with various morally objectionable movements, such as euthanasia and birth-control. Its points of contact with the latter unspeakable movement are particularly frequent and intimate—a circumstance which surely is not in its favor. In general, its advocates, though abounding in zeal, have neither displayed much restraint nor given evidence of discretion and reverence.

In spite of its youth, the eugenic movement is organized on an international scale and has already held three international congresses. An active propaganda is being carried on by various societies and reviews. Chairs for Eugenics have been established at a number of universities. Research laboratories exist both in Europe and America. At the same time the popularization is going on apace.[4]

It is in the United States that the movement has achieved its most signal and spectacular successes. America is the land of legislative experi-

[4] See *Journal of Genetics* (Cambridge University Press); *Biometrika* (London); *Genetics* (Princeton University); *Eugenics Review* (London); *Journal of Heredity* (Published by the American Genetics Association); *Eugenics Record Office Memoirs* (Cold Spring Harbor, N. Y.); *Revue d'Eugénique* (Published by the Belgian Eugenical Society); *Archiv für Rassen- und Gesellschaftsbiologie* (Berlin); *Das kommende Geschlecht. Zeitschrift für Familienpflege und geschlechtliche Volkerziehung auf biologischer und ethischer Grundlage* (Berlin).

mentation, and seems to be anxious to become the social laboratory of the world. As early as 1907 eugenic legislation was inaugurated in Indiana. It has since spread to many other states, and is likely to make further progress in the near future. Father William I. Lonergan, S.J., sums up the situation very impressively as follows: "With just such a measure as this our discussion is concerned. It refers to a legislative enactment endorsing a practice unknown in the United States a quarter of a century ago, but which since then has found a place, almost unprotested, on the statute books of more than twenty of our States, while others are considering its adoption. It will perhaps surprise many to learn that the enforced sterilization of human beings by governmental authority obtains so extensively amongst us. It will probably surprise more to know that, where it is enacted, the law has not been allowed to lie dormant. On the contrary, a writer in the *Cornell Law Quarterly* (December, 1925) informs us that up to 1918, in eleven States where the law provided for enforced sterilization, there were 1422 operations performed under the statute, while from 1907 until 1921 in California alone 2588 persons were subjected to it, and during that same period in various States the law was made effective in 3233 cases. While the statutes differ in the methods of administering the law and in the persons to whom it shall be applied, sterilization, in

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so far as the causes go, is enforced either as a punitive measure for certain crimes or more commonly for purely eugenic purposes. In some jurisdictions the law when tested has for one reason or another been declared unconstitutional, but sterilization measures have been upheld in enough instances to justify the conclusion that, if legislators are sufficiently cautious, their bills can be framed to withstand the courts."[5]

The States that have enacted sterilization laws are Indiana, Washington, California, Connecticut, Nevada, Iowa, New Jersey, New York, North Dakota, Michigan, Kansas, Wisconsin, Minnesota, Utah, and Oregon. Some States require the production of a certificate of health by those who wish to procure a marriage license. The somewhat gloomy view of Father Lonergan is not shared by all. Thus, Dr. Govaerts writes: "Fifteen States of North America have adopted this legislation; in others it has been passed, but never applied, or else considered and rejected. In general, these laws have only rarely been put in practice, and they are all today a dead letter" (*Le Mouvement eugénique aux États-Unis,* in *Scalpel,* July 29, 1922). That is perfectly in keeping with the character of the American people, radical in theory but timid and cautious in practice. Its good commonsense and inherent humanity neutralize its theoretical radicalism.

More cautious than the United States in the matter of law making, England has not yet enacted eugenic legislation to any considerable extent.

[5] "The Morality of Sterilization Laws," in *America* (March 13, 1926).

The only instances of such legislation are the Mental Deficiency Act (1912) and the establishment of the Ministry of Health. The Englishman is exceedingly jealous of his liberty, and strenuously opposes any legislation by which it might be curtailed. The Ministry of Health met with vehement opposition because, with its extensive and discretionary powers over the domestic life of the people, it was held to be a potential menace to liberty. The Catholic National Congress, held at Liverpool in 1920, voiced its disapproval of the Act creating the new institution in unequivocal and forceful language.

There was, however, some divergence of opinion on this subject. Whereas Father Vincent McNabb, O.P., roundly assailed the Ministry of Health, Dr. Colvin thought that it might have a legitimate function. At one of the meetings Mr. Hilaire Belloc read a paper, in which he referred to "the horror known as Eugenics." Father McNabb was even more emphatic and declared as his conviction: "The sanctity of such a word as health should not numb people to the stench of such a phrase as Eugenics." Previously, at the Meeting of Catholic Doctors at Cambridge, Dr. Mooney had said the following anent the same subject: "that they all agreed on the objects of the Act, which were to promote the health of the people and to prevent disease. As Catholics and as citizens, they were as eager for the physical wellbeing of the people as any other section of the community. But some Catholics looked upon the Ministry of Health not only with suspicion but even with hostility for two reasons. One was that the policy

of the Act would be carried out in an eugenic spirit, and the other was that it would be too inquisitorial and violate the privacy of the home. While these fears were not groundless, he thought that they were exaggerated. There was much misconception of the exact definition of eugenics. They were all anxious for the rearing of a healthy race on Christian principles, and any departure from such principles would be most repugnant to them. So far as he could judge, there was no desire to adopt any of the repugnant methods of eugenics nor to destroy personal liberty. Hence he thought that they should coöperate with the wise and beneficent proposals of the Ministry of Health, and be on the alert to oppose anything that would be detrimental to the moral well-being of the people." For these views he was severely taken to task by Father John McQuilan, who claimed that the officials of the Ministry violate the privacy of the home and use their office to preach birth-control and other abominations (cfr. *The Tablet,* July and August, 1920).

In Switzerland surgery of eugenic tendency has been practised in isolated cases, and the subject has been brought to the attention of the legislative bodies for further action. The general sentiment seems to be favorable to such legislation.

In Germany the dysgenic operation of the war has given a strong impetus to the eugenic movement. A powerful campaign for the enactment of eugenic legislation is being carried on by influential men from many walks of life, especially from the ranks of physicians, jurists and psychi-

atrists. The attitude with regard to such legislation has undergone a decided change. Measures which only recently would have been denounced as an intolerable invasion of personal liberty and self-determination and rejected with indignation, now hardly cause a flutter of excitement and meet with more or less ardent support.[6]

In Norway we have slight beginnings of eugenic legislation, but it has not gone very far. In Belgium the matter has not yet gone beyond the stage of private initiative, but within these limits the movement is very active and progressive. Its most distinguishing feature is that in no small degree it is under Catholic influence and orientation. This gives to the Belgian eugenic movement a unique character and invests it with a special interest. It may be that Belgian scholars will find a eugenic formula that will prove acceptable to Catholics. The zealous activity of the Belgian Eugenists, no doubt, is prompted by the sorry plight in which the war has left the people. In the countries which bore the brunt of the war the problem of defectives is infinitely more acute than in those that were less affected; hence also do these countries present a more favorable field for eugenic endeavor than others. The Belgian Society is trying to enlist government support in behalf of its aims. At present it is endeavoring

[6] Dr. Joseph Mayer, "Die Unfruchtbarmachung Geisteskranker" in *Bonner Zeitschrift für Theologie und Seelsorge* (1926).

to secure from the Government the erection of a laboratory similar to the Eugenics Record Office in Cold Spring Harbor.

That Europe is in no haste to enact drastic eugenic legislation such as we have written on our statute books, is to its credit. In the present state of inadequate knowledge, extreme caution is the only wisdom.

CHAPTER IV

THE PROBLEM OF THE SO-CALLED UNFIT

If the eugenists wish to win the support of Catholics, they must give adequate guarantees that their cause will not be associated with anything that conflicts with the principles of Christian morality, that would deprive man of his basic and inalienable rights, or that could be used as an instrument of oppression. Catholics are rightly sensitive on the subject of human dignity and zealous in the defense of human rights. They are not willing to concede that man belongs body and soul to the State, and that the latter can use him as a mere means for the furtherance of its ends. They possess a well-defined scale of values, on the proper recognition of which they must insist. Accordingly, it is impossible for them to accept an ideal of human excellence that is expressed merely in physical terms and leaves out of account the spiritual factors. It always remains true that, though health is an indisputable good and therefore very desirable, there are higher goods which are infinitely more desirable. The ideal of health and physical perfection cannot be allowed to over-

shadow moral values. Hence, Catholics cannot be expected to sympathize with the Nietzschean ideal of the superman, who is nothing but a sublimated beast. Neither can they take kindly to any measure that savors of barnyard methods. But, when everything objectionable has been removed from the eugenic movement, and when it is surrounded by such essential safeguards that will protect human dignity and effectually prevent any invasion of man's God-given rights, they are willing to give it impartial consideration. It is unnecessary to speak of a fair trial, for, in view of the inadequacy of our knowledge concerning the subject, the stage of a practical application of the very insufficient and unreliable findings in this field has not yet been reached. The day for practical eugenics on a comprehensive scale has not yet come. Unalterably, therefore, are Catholics at this juncture opposed to any hasty eugenic legislation, which, if inaugurated at this time, could only prove disastrous and might precipitate evils and abuses of the direst kind. The issues involved in this case are too momentous and too sacred to be objects of immature experimentation. Men must stand on solid scientific ground and their position must be unassailable from every point of view, before they undertake to enact laws that bear on vital matters and that are inextricably bound up with the highest problems of justice and morality. Where matters of such

supreme importance are at stake, we cannot afford to blunder. It is gratifying to know that in this respect we are at one with the more respectable and conservative advocates of the eugenic movement, who, like ourselves, lament the undignified, if not immoral, haste that some legislatures have manifested in passing eugenic legislation of far-reaching importance which cannot be justified by the present condition of our knowledge. At present the best the State can do is to encourage honest research into the laws of heredity, and meanwhile to refrain from passing any further eugenic legislation. Most of the eugenic laws already passed, especially those of a more drastic nature, will be "more honored in the breach than the observance." Anent this subject, Dr. Charles Benedict Davenport, connected with the Eugenics Record Office at Cold Spring Harbor, L. I., remarks pointedly: "One is struck by the contrast between the haste shown in legislating on so serious a matter compared with the hesitation in appropriating even a small sum of money to study the subject. O, fie on legislators who spend thousands of dollars on drastic action, and refuse a dollar for an inquiry as to the desirability of such action!"[1] Catholics will readily endorse this sentiment. We may sum up the situation in the prudent and restrained words of Major Leonard Darwin: "At present the most urgent need is for more knowledge."

[1] "Heredity in Relation to Eugenics" (New York).

"The cause of eugenics owes a great debt to Major Darwin for having pointed out clearly wherein fitness to survive in the eugenic sense really consists. On this subject much confusion has reigned, not only in the minds of the general public, but also in the minds of the first enthusiasts for eugenic reform. Attention was at first concentrated on physical health and muscular development, and it was an easy task for opponents to point out that the big blonde beast of Nietzsche was not the most desirable type of man, that men of great talent and initiative often were so in spite of the handicaps of physical disease or infirmity, that Cæsar and Mahomet both suffered from epilepsy, and that Robert Louis Stevenson died of consumption" (*The Encyclopedia Britannica*). Though there may be some improvement in this respect, it still remains true that the present-day eugenists are prone to overemphasize the physical to the detriment of the spiritual. Father Thomas J. Gerard is right when he says: "The truth is that eugenists, from Sir Francis Galton to Dean Inge, have been carried away by the initial racehorse analogy and borne on to the wrong track. The illustration of breeding for points is not one that is applicable to a being with a spiritual nature" ("The Church and Eugenics," Oxford). The whole tendency of our times is to look upon man merely as an animal of a higher order, and this fundamental error makes it impossible for many to get a right notion of what constitutes the ideal of human perfection.

Unfitness

Unfitness is a word all too lightly used by the eugenists. Yet, they ought to employ it with the greatest caution and a sense of profound responsibility, since it is their intention to impose such

severe disabilities on those who shall be found wanting in the requirements for marriage and parenthood. To deprive a human being of an essential right is a very grave matter. It must not be done for vague and elastic reasons that can be interpreted in almost any sense and stretched to extend to practically any case. The content of the term, therefore, must be very clearly defined and fixed in a manner that precludes the possibility of arbitrary interpretation. This in itself is not easy where man is concerned. It becomes impossible where there are no common standards of value. Who, in the actual confusion of ideas, will tell us what the ideal man is like, and when a man is really useless? Surely, we cannot allow the eugenists, not infrequently inspired by purely materialistic ideas, to impose their standards upon humanity and to judge fitness or unfitness on the basis of their materialistic world-view. With a touch of sarcasm, but with much truth, T. H. Huxley writes: "The points of a good or bad citizen are really far harder to discern than those of a puppy or a shorthorn calf. I sometimes wonder whether people who talk so freely about extirpating the unfit, ever dispassionately consider their own history. Surely one must be very 'fit' indeed not to know of an occasion, or perhaps two, in one's life when it would have been only too easy to qualify among the

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unfit."[2] It is evident that what the eugenists need is a little ordinary humility and a rather large dose of Christian charity.

Dr. Davenport argues along the same lines. Complaining of the vagueness of the term, "unfitness," he writes (*op. cit.*): "The laws against the marriage of the feeble-minded are unscientific, because they attempt no definition of the class. If feeble-mindedness were always as clearly distinct from normality as polydactylism, then there would be no objection to the law on this score. But this is by no means the case. If we measure the mentality of 10,000 individuals by a quantitative test, such as that of Binet and Simon, then we shall find that the retardation in mental development for one year, two years, three years, etc., shows nowhere a sharp change indicating where the normal ceases and the abnormal begins. Shall we sterilize or forbid marriage to all children whose mental development is retarded as much as one year? That would include 38 per cent of all children, and one of yours, Oh, legislator! Shall the limit be two years of retardation? That would include 18 per cent of the children. Shall the limit be three years? That will still be over 8 per cent—full one-twelfth of the population to be sterile. Is it not reckless to pass such serious legislation in such loose terms?"

[2] "Evolution and Ethics."

The glib use of the term "unfit," and the readiness to fasten the labels "moron" and "imbecile" on any individual, do not bespeak the truly scientific temper, but rather give evidence of enormous conceit and a kind of snobbishness.

Whether Mr. Bertrand Russell is serious or not in the following passage may be hard to determine, but at all events we can see from it whither ill-defined terms will lead. Speaking of human progress, he says: "Passing from quantity to quality, we come to the subject of eugenics. We may perhaps assume that, if people grow less superstitious, governments will acquire the right to sterilize those who are not considered desirable as parents. This power will be used at first to diminish imbecility—a most desirable object. But probably, in time, opposition to the government will be taken to prove imbecility, so that rebels of all kinds will be sterilized. Epileptics, consumptives, dipsomaniacs, and so on will gradually be included; in the end there will be a tendency to include all who fail to pass the usual school examinations. The results will be to increase the average intelligence; in the long run, it may be greatly increased. But probably the effect upon really exceptional intelligence will be bad. Mr. Micawber, who was Dickens' father, would hardly have been regarded as a desirable parent. How many imbeciles ought to outweigh one Dickens, I do not profess to know" ("Icarus or the Future of Science").

Other errors into which eugenists fall are pointed out by Professor Lester F. Ward. "In the first place," he writes, "Eugenics tends to emphasize unduly the intellectual qualities. Galton's

whole interest was centered on hereditary genius. The only superiority generally recognized is intellectual superiority. The only organ that it is sought to improve is the brain. If the eugenists could carry out their plans, the human head would be enormously enlarged at the expense of the rest of the body. This would soon make it impossible for men to be born, for obstetricians know that the head is now so unnaturally large that birth is a great hardship for woman. In the second place, eugenists manifest more or less contempt for the affective faculties. The emotional side of man's nature becomes for them mere sentimentality. Brains, intellect, genius, alone have worth. Like the breeders of cattle, they would breed for points, and the head is the only organ that they seek to develop. But Nature is far wiser, and seeks to develop all the faculties and to prevent all extremes. The normal becomes the ideal. A perfect race is one that is developed in all its qualities, physical, moral, and intellectual. It is this that the biological imperative aims at, and if not interfered with by the doctrinaries of heredity, this will be the result."[3]

This embarrassment of the eugenist in finding an acceptable standard of real human worth is also well described by Dr. Conklin: "One of the serious difficulties in the way of a really thorough-going system of eugenics is the impossibility of determining what com-

[3] "Eugenics, Euthenics, and Eudemics," in *The American Journal of Sociology* (May, 1913).

binations are really best and how to bring them about. Until we know vastly more about the genesis of personality than we do now, positive eugenics must be a relatively weak and blundering procedure. It would probably have robbed the world of some of its greatest men, whose antecedents were most unpromising. The most intelligent eugenicist cannot tell us how to get the best results; he can rarely, if ever, get children of his own that are entirely satisfactory; usually the most he can do, is to tell us how to avoid the worst results" ("The Direction of Human Evolution," New York).

Were the control of human evolution left to eugenists, it would of a certainty lead to a fearful impoverishment of the race and an unbalanced, one-sided development, for Eugenics, as it is, has no idea of a well-poised, harmonious development, and absolutely no appreciation of the hierarchical value of human faculties. Aiming at the improvement of some particular organ or faculty, the eugenist would destroy the beautiful harmony of the whole. Human excellence does not lie in specialization carried to the extreme, but in an all-round, well-balanced development. Prodigious one-sided development only mars human perfection. This is a point very forcibly brought out by Professor Edwin Grant Conklin. Trying to reduce the claims of eugenists to saner proportions, he shows the fallacy that lies in any method that would breed man like an animal for highly specialized ends (*op. cit.*): "It is, of course, possible that the hand of man might evolve into a more perfect climbing, swimming, or flying organ,

but such specialization would unfit it to do the many duties which it now performs and upon which human progress has so largely depended. It is, of course, possible that the brain of man may undergo further evolution in the future, just as it is possible that the elephant may evolve a longer trunk or the giraffe a longer neck. But the size of the human brain has not increased since the times of the Crô-Magnon race, and the great prevalence of nervous disorders in the most highly intelligent classes of the present day indicates that the nervous system has already developed to a point where it is getting out of balance with the other vital functions. In every line of progressive evolution there comes a time when specialization can go no farther without interfering with the harmonious interrelation of parts and thus breaking down co-operation." There is only one direction in which wellnigh unlimited progress is open to man, and that is on the road towards moral perfection, for the Lord has said: "Be ye perfect as your Heavenly Father is perfect." Unfortunately, however, to this phase of the matter the eugenists give no attention.

Some Uses of the Unfit

To anyone who has not steeled his heart against kindlier impulses and whose human sympathies have not become entirely atrophied, the word "unfit," when applied to a fellow-being, comes as

a distinct shock. For in the last analysis the term means disqualified for living. It is an awful thing for mortal man to say of a fellow-mortal that he ought not to exist, that he is unworthy of the precious boon of life, and that he should have been prevented from entering into being. In its deeper implications the term is equivalent to a thinly veiled death sentence. That, no doubt, is the psychological reason why the thorough-going eugenist can so easily make the step from demanding the prevention of the birth of the unfit to advocating their extinction. In fact, the two demands have at times been linked together.[4]

The eugenist has a colossal, unlimited contempt for those whom he classifies as unfit. He can see nothing good in them. Civic worth and social usefulness being the only standards of value which he accepts, he must regard the unfit as entirely useless. They are an economic burden, a source of waste, an impediment to human progress, and a menace to civilization.

"It is a reproach to our intelligence that we as a people, proud in other respects of our control of nature, should have to support about half a million insane, feeble-minded, epileptic, blind and deaf, 80,000 prison-

[4] This latent implication comes to the surface in the German equivalent for the English term, which is *lebensunwert*. Cfr. Dr. Ewald Meltzer, "Das Problem der Abkürzung lebensunwerten Lebens" (Halle). It is true that noted eugenists have disclaimed any intention of extirpating the unfit, but that the disclaimer was called for rather shows the inherent fatal tendency to which always some will succumb.

ers, and 100,000 paupers at a cost of over 100 million dollars per year'' (Dr. C. B. Davenport, *op. cit.*). Speaking of the increase of the unfit, Dr. Max G. Schlapp writes: ''Many social philosophers view the fact and the conclusions growing out of it as a cloud on the horizon, menacing Western Civilization. Instead of the superman of Nietzsche, in whom a world-redemption was to be expected, we have an inferman, a product of this civilization, who threatens to overwhelm us'' (''Civilization Burdened by Cost of its Unfit,'' in *The New York Times,* May 16, 1926).

In this estimate it is forgotten that the most disastrous assaults upon civilization have not been made by the weak but by the strong. Moreover, the eugenist is tempted to place in the category of the unfit everyone who occupies a lower social level than he does himself. It is thus that paupers have come to be included among those who ought to be barred from existence.

''It is highly unscientific to answer the question: 'Who should be sterilized?' by listing whole groups of individuals who, after all, are human beings and not cattle. It is shocking to include paupers in a catalogue which concludes 'and other degenerates' '' (from Editorial in *America,* May 22, 1926, referring to ''A Eugenics Catechism,'' issued by the American Eugenics Society). To how many the right of being ought to be denied appears from the following passage: ''From time to time many energetic persons have noisily demanded that a stop should be put to the decline of the birthrate, for, they argue, it means race suicide. It is now beginning to be realized, however, that this outcry was

a foolish and mischievous mistake. It is impossible to walk through the streets of any great city, full of vast numbers of persons who, obviously, ought never to have been born, without recognizing that the birthrate is as yet very far above its normal and healthy limit. The greatest States have often been the smallest so far as mere number of citizens is concerned, for it is quality not quantity that counts. And, while it is true that the increase of the best types of citizens can only enrich a State, it is now becoming intolerable that a nation should increase by the mere dumping down of procreative refuse in its midst. It is beginning to be realized that this process not only depreciates the quality of a people, but imposes on a State an inordinate financial burden" (Havelock Ellis, "Sex in Relation to Society," Philadelphia).

The eye of faith is capable of discovering something good even in the unfit. They do possess an immortal soul which, in the scales of God, outweighs the value of the entire material universe. The gates of everlasting happiness are open to them. Their existence is not an unmitigated evil and a mere curse. The life which they enjoy, though overshadowed and beclouded, is withal a gift of a loving God and by the same token an actual blessing. Christianity does not glorify disease or feeble-mindedness or pauperism. It does not regard these phenomena as desirable in themselves. But it does not treat them with supercilious pride or arrogant tolerance. It strikes a cautious and even reverent note when speaking of them. Of course, God does not directly cause

these evils, but somehow He mysteriously permits them, and by some divine alchemy He can make great good come from them. Deplorable though the lot of mental and physical defectives may be, they are not entirely useless, and fulfill in the economy of life a beneficent function. This we do not say because we are opposed to the ends of the eugenic movement, but we do stress this point because it will essentially modify our outlook upon the whole subject and tend to soften the methods proposed.

The sad condition of defectives is a rebuke to mankind and a wholesome reminder to us of our sinfulness, for it is due to sin that there is such awful misery and such terrible degeneracy in this world. This reminder is the more pertinent, since degeneracy is not only in a general way traceable to original sin, but in many instances goes back to specific violations of the law of God. Humanity needs this terrible lesson to realize its guilt. "Just as, in the prison scene, Faust is overwhelmed by all the misery of mankind when it becomes clear to him that through his pursuit of his egotistic impulse and his scorn for social sentiments he is guilty of Gretchen's tragedy, so it is necessary that in the institutions for its most wretched members mankind should realize how guilty it itself is of this misery" (Dr. E. Meltzer, *op. cit.*).

We owe not a little to these poor defectives,

whose sad plight has evoked in our race noble sentiments by which we have become morally enriched, and which besides have proved biologically useful. We have all benefited by the sentiments of pity, tolerance and sympathy called forth by the presence of the helpless among us. These sentiments have been our salvation, for every one of us at some period of his life is as helpless as the lowest of the defectives. A world peopled only by the fit would gradually become a hard and cruel world in which life would be impossible even for the strongest. We have reason to be grateful to these defectives, and consequently ought to treat them with kindness and with a degree of reverence.

We do not commit ourselves to the absurd theory which Dr. Arthur J. Todd ridicules in the following passage: "I have heard men deliberately arguing for the increase of mental and bodily defectives, the allowing them to roam at large and to propagate their kind as a stimulus to our sentiments, which would lapse and grow cold if we developed a perfect race. Sympathy that needs such coarse, strong food may hardly be worth the price" ("Theories of Social Progress," New York). We do not stand committed to this theory, but the sad fact remains, that mankind does require gross and coarse stimuli to arouse its sentiments. Man's inhumanity to man is notorious. It does not take a man long to grow utterly insensible to human suffering and completely brutalized. If the unfit save us from such callousness, they help us to escape a degradation far worse than their own.

Science has made great gains by the study of the abnormal conditions which mental and physical defectives present. This in its turn has redounded to the benefit of mankind in general. Medicine and psychiatry have profited enormously in this way, and thus become enabled to alleviate the ills of mankind and to prevent many forms of mental and physical disease. Pedagogy of the normal has received incalulable contributions from pedagogy of the defectives.

"But even granting the possibility of losses through the policy of social sympathy, there may easily be cases where preservation of the weak does not lower the general level of race fitness. Why should not the increased science and care devoted to the weak and sickly also yield as by-products better means of insuring health, education and general fitness to the strong? Signora Montessori's method of educating normal children proceeds naturally out of her study of educational methods for defectives. While no sane person would argue that nature or human society ought to create pathological types for the direct purpose of offering laboratory material or drawing out our sympathies, and while the most elementary prudence and sympathy urge the prevention of such wreckage, yet it is equally obvious that mere extermination of those types or passive tolerance of them in no way meets the problem" (Dr. A. J. Todd, *op. cit.*).

Even the sum of human happiness has been augmented by the presence of these poorest of the poor in our midst. The exquisite devotion which

many a mother has given to such a helpless being, has often brought a gleam of brightness into her life. The heroic virtue practised in the treatment of such unfortunate pays rich dividends in happiness and contentment. We share in this matter the view of Father Thomas Slater, S.J., who writes as follows: "But, even if we confine our attention to the present life, is it so certain that it would be better for being deprived of its degenerates? Is it not true that the cripple and the otherwise unfit are often the sunny spot in the life of the family? Often enough their very weakness and unfitness call forth all the capacities for the purest and sweetest affection in those around them. If we had not the unfit, we should miss some of the noblest and most beautiful traits that human nature can show. No, although bouncing health is a great blessing, and I by no means desire the production or multiplication of the degenerate, still, if we take a wider view of life, we shall have to confess that both this world and the next would be the poorer if it were not for some degenerates.[5]

The so-called unfit are not as valueless as the eugenists would make it appear.

[5] "Questions of Moral Theology" (New York).

CHAPTER V

EUGENICAL STERILIZATION

The most drastic means proposed to prevent the transmission of undesirable hereditary traits and to purify the stream of life from harmful racial poisons is sterilization. In eugenist circles this method of prevention, the immediate effectiveness of which cannot be doubted, has always had and still has very enthusiastic advocates. The materialistic views of life usually entertained by the supporters of this measure prevent them from seeing anything degrading in the practice of depriving extensive sections of the community of the faculty of procreation in the interests of the common good. The individual in their estimation means very little. Private and personal rights do not loom very large in their scheme of things. The overshadowing idea that dominates all their considerations, is social welfare and human progress. To this fetish they are willing and anxious to sacrifice everything else. Consciously or unconsciously, their thinking is inspired by a utilitarian philosophy. Though they may not be willing frankly to state it, yet they proceed on the

principle that the end justifies the means. This thoroughly unethical principle vitiates much of the thinking of our age. It is held much more commonly than we are inclined to imagine. In fact, despite all emphatic disclaimers to the contrary, outside of the Catholic Church it is accepted as a matter of course. This tacitly accepted principle makes it so difficult for us to come to any kind of an understanding with our adversaries in a discussion on birth-control or cognate moral issues. Of course, it also prevents a reconciliation of our views and theirs in the question of eugenics. When the philosophical background, against which the disputants see the problems discussed, is so essentially different, the hope of an agreement on practical issues must vanish. As Catholics, we absolutely repudiate the principle that the end, however good and exalted in itself, has the power to justify the means, unless they are in themselves good or at least indifferent. In the present confusion of moral ideas, it is imperative to stress this point, which to us seems so commonplace and obvious. We cannot understand the drift of modern ethical thought, if we do not take into account its basically false orientation.

Without scruple the modern eugenist will concede to the State the right of making sterilization compulsory in the case of defectives, and thus depriving them of the power of reproduction. Of

fundamental, inalienable human rights, which the State must respect, they apparently have not even the faintest notion. Thus, Dr. Charles Benedict Davenport ("Heredity in Relation to Eugenics," New York City), writes with the greatest assurance: "Concerning the power of the State to operate on selected persons there can be little doubt, not only since the right to the greater deprivation (that of life) includes the right to the lesser (that of reproduction), but also since these operations are actually made today and that of sterilization is legalized, under certain precautions, in six states of the Union." The author here takes for granted what is to be proved. His argument besides is extremely weak, for the State has not the right to take the life of an individual, unless it has been forfeited by crime. Consequently, he proves at best only the right of the state to inflict punitive sterilization, but not the right to impose sterilization as a eugenic measure. The fact that there are such laws, certainly proves nothing with regard to their inherent justice. Laws do not make right; otherwise, every wrong could be legalized. Such a doctrine would be destructive of all human rights, and would reduce man to a status worse than that of the slave. All this is of a piece with modern sociological speculation. For us who believe in the existence of natural rights, the question is not so easy of solution.

If any objection is raised at all to sterilization, it is not based on ethical grounds, but on reasons of expediency. Thus, Dr. Davenport, though he is satisfied that the State may legitimately enact sterilization laws, holds that such action at present is ill-advised. "There is no question," he continues, "that, if every feeble-minded, epileptic, insane, or criminalistic person now in the United States were operated on this year, there would be an enormous reduction of the population of our institutions twenty-five or thirty years hence; but is it certain that such asexualization or sterilization is, on the whole, the best treatment? Is there any other method which will interfere less with natural conditions and bring about the same or perhaps better results?" We are unfavorably impressed with the utter absence of ethical outlook in this passage, which deals with a point that imperatively calls for moral consideration. The question cannot be settled on the mere basis of opportunism or utilitarianism; it must be lifted to the ethical plane.

We have become somewhat chary of the proposals of modern reformers and uplifters. Too often the pretended reforms have been turned into measures of oppression. It is well to remember that no one can be more intolerant and tyrannical than the modern reformer, who does not recognize the existence of natural rights, and who stops at no limit in his interference with the private and personal lives of individuals. Especially where the poor and the weak are concerned, he will go to every length, and not even shrink from actual persecution. The vague notion of the common

good is regarded as sufficient to justify almost any form of despotic oppression, and is made to cover a multitude of sins.

This is what Father Gaston Sortais, S.J., says of the ethical utilitarianism that inspires so much of our modern legislation: "Utilitarian morality leads to the violation of individual rights: as, in practice, the interest of the individual and the general interest are often at variance, what is to be done pending the advent of a new social organization which shall harmonize this discord? The utilitarians will content themselves with consulting the interest of the majority, and to this they will sacrifice pitilessly the rights of the minority. How many crimes have been committed or proposed in the name of the public safety!" ("Traité de Philosophie," Paris). Since Catholic Philosophy stands practically alone in the defense of the natural rights of man, it must not fail mankind in this momentous struggle, on the final outcome of which the destiny of civilization depends. What is the use of material progress, if in the process of bringing it about man is robbed of his dignity and reduced to the condition of a serf or slave? This is too high a price to pay for material prosperity.

Catholic philosophy admits that the State has the power to restrict individual rights and to promote the common welfare. But it also asserts that there are inherent limits to this power. Individual freedom may be restricted, but it cannot be taken away entirely or diminished to such a degree that it is practically non-existent. Individual freedom is a God-given and mighty sacred thing. The Church has invariably shown for it

the greatest reverence, and has always stoutly defended it. She is not disposed to betray it now to the insatiable demands of the State. She cannot go all the way with the modern reformer, who is not harassed with any scruples where individual liberty is concerned. Curtailment of this liberty according to Catholic ideas is only permissible where it is really and patently necessary. Father Thomas J. Gerrard sounds a much-needed warning against overzeal, a mistake into which the reformer so readily falls. "Although," he writes ("The Church and Eugenics," Oxford), "the spirit of ecclesiastical legislation stands for individual freedom against the tendency of the State to curtail it, we cannot deny the competence of the latter to safeguard the welfare of the community by the segregation of those members who are a real and serious danger. Only the danger must be real and serious. We must recognize that there is a possibility of zeal for reform degenerating into oppression. Feeblemindedness is so often a cause of poverty, and poverty so often a cause of feeblemindedness, that there is a danger of confusing one with the other. Those, therefore, who have human dignity at heart, need to exercise careful vigilance lest, under pretense of eugenic reform, the rights of the poor are infringed." In this connection it may be remarked that in our days the poor have few spokesmen. Our materialistic age is inclined to look on pov-

erty as the greatest crime. It has scant sympathy for those who have not been successful in a financial way. Slowly we have drifted back to the position which paganism occupied with regard to poverty. Modern civilization is very tender towards the criminal and very sensitive about his rights. It is harsh towards the poor and the weak. It demands humane treatment for the malefactor and protects him against inhuman forms of punishment. About the dignity and the rights of the poor it is not the least squeamish. The homes of the poor to many of our social reformers seem not to be sacred, but legitimate objects of prying curiosity. The privacy of their family life appears not to be inviolable. The poor and the helpless may be made the subjects of social experimentation. Their lives may be regulated for them, and subjected to every kind of annoying supervision. Against the exercise of such an unworthy tutelage, which is so apt to degenerate into downright oppression and actual persecution, we must protect them. In this matter where abuse lies so near to use, special caution is necessary. We ought to profit by the experiences of others. The fine phrase, "national health," must not blind our vision to the gross abuses that may creep in under this deceptive guise. Here is what a pastor in England has to say about the way so-called health supervision is being carried out: "Christian decency prevents us from sending to

a Catholic paper the series of revolting outrages committed by the health clique on our people. I shall mention but one fact to illustrate what is actually being done in the interest, forsooth, of a nation's health. A woman in our parish on the birth of her thirteenth child was visited by a health visitor, who, among other things, said: 'Of course, you will have no more children.' Some two years before when her twelfth child was born, she was rudely scolded by the health visitor, who said that she should be ashamed at having so many children. . . . Some say that those who see inquisition and the violation of the privacy of the home in the activities of the Ministry of Health are exaggerating their fears. Pardon me; they are not fears but facts. Working-class mothers—and they alone—are being visited daily in our parish by health visitors, and subjected to most humiliating and indelicate questioning by women who force an entrance and record on official forms, to be docketed in the municipal archives, the intimate particulars of a woman's life. Shall we Catholics allow this to continue when Pope Leo XIII tells us that 'the contention that the civil government should at its option intrude into and exercise intimate control over the family and the household is a great and pernicious error?' ''[1] Which all goes to show that the prob-

[1] John McQuillan, D.D., ''Catholic Doctors and the Ministry of Health,'' in *The Tablet* (London, July 17, 1920).

lem of eugenics is far from being simple, that it is complicated with many side issues, and has numerous ramifications. If our treatment of the matter is somewhat cumbersome and perhaps diffuse, it is because we wish to give a comprehensive presentation.

Speaking of Oregon, California, Indiana, Wisconsin, New Jersey and Connecticut, States that have passed laws providing for sterilization of persons in state institutions in cases where procreation on their part would, in the judgment of a "competent examining board, be likely to produce children with an inherited tendency to crime, insanity, feeblemindedness, idiocy or imbecility," Prof. William E. Kellicot very complacently says: "These States are to be commended in the highest possible terms for their enlightened action in this direction. Who can say how many families of Jukes and Zeros have already been inhibited by this simple and humane means? Could such a law be enforced in the whole United States, less than four generations would eliminate nine-tenths of the crime, insanity and sickness of the present generations in our land. Asylums, prisons and hospitals would decrease, and the problems of the unemployed, the indigent old and the hopelessly degenerate would cease to trouble civilization" ("The Social Direction of Evolution," New York City). Aside from the unwarranted and unscientific optimism which the author manifests in this rosy prognosis, it does not trouble him at all that possibly, in achieving these results, human rights may have been trampled upon in the most ruthless fashion.

The Nature of Surgical Sterilization

Viewed merely in itself and without regard to its effect, surgical sterilization, as now practised, is a comparatively harmless operation, entailing but slight inconvenience and connected, at least in the male, with practically no danger. This outward inoffensiveness of the operation, no doubt, is one of the chief reasons why it arouses so little repugnance, and why in some cases it is undergone quite voluntarily. In this lies a certain baleful insidiousness.

"The fact that castration can no longer be properly considered a punishment, is shown by the possibility of deliberately seeking the operation simply for the sake of convenience, as a preferable and most effective substitute for the adoption of preventive methods in sexual intercourse" (Havelock Ellis, "Studies in the Psychology of Sex," Philadelphia). This makes it plain that the operation may be resorted to for the most perverted and immoral ends. This feature is of supreme interest to the moralist, and must figure prominently in the ethical evaluation of the operation. An operation which is so slight in itself, yet so tremendous in its consequences, of its very nature lends itself to serious abuse and grave mischief.

Dr. R. R. Rentoul ("Race Culture or Race Suicide?") describes the operation as follows: "The operation consists in excising and ligaturing the divided ends of, in the male, the *vasa deferentia,* or spermadic cords, and in the fe-

male the fallopian tubes." At present sterilization can be brought about by the application of X-rays, a method which would render the operation entirely bloodless. "It has been found," says Dr. Havelock Ellis, "that repeated exposure to the X-rays produces sterility in both sexes, alike in animals and men, and X-ray workers have to adopt various precautions to avoid suffering from this effect. It has been suggested that the application of the X-rays would be a good substitute for castration; it appears that the effects of the application are only likely to last a few years, which in some doubtful cases might be an advantage!" It appears, however, that the X-ray treatment is not always effective, and that it is accompanied by serious after-effects. This treatment, therefore, is still in the experimental stage.

In almost all cases the writers on the subject take pains to emphasize the external harmlessness of the operation. Thus, Dr. Charles B. Davenport, in enumerating the various means of stopping the reproduction of undesirable racial traits, says: "There is, first, the method of surgical operation. This prevents reproduction by either destroying or locking up germ cells. There are two principal methods of surgical interference. One is castration, which removes the reproductive glands and destroys sexual desire. The other is vasectomy which prevents the escape of the germ cells to the exterior, but does not lessen desire. Neither of these operations is necessarily painful or liable to cause death or much inconvenience to the males. Corresponding operations

can be performed on the female, but they are more serious in this sex, since they involve opening of the abdominal cavity'' (*op. cit.*). Similarly, Dr. Ellis: ''The introduction of castration as a method of negative eugenics has been facilitated by the use of new methods of performing it without risk, and without actual removal of the testes or ovaries. For men there is the simple method of vasectomy, as recommended by Naecke and many others. For women there is the corresponding and almost equally simple and harmless method of Kehrer, by section and ligation of the Fallopian tubes through the vagina, as recommended by Kisch, or Rose's very similar procedure, easily carried out in a few minutes by an experienced hand, as recommended by Zuccarelli'' (*op. cit.*). Likewise, Father Gerrard: ''Sterilization consists in the performing of a surgical operation by which the subjects thereof are rendered incapable of procreation. In former times this operation involved castration in the case of men and excision of the ovaries in the case of women. Both were dangerous operations, constituting a grave mutilation. But in recent times two much simpler operations have been discovered, which have somewhat modified the moral and social questions involved. These are known respectively as vasectomy and ligature of the Fallopian tubes, and are comparatively harmless in the sense that they do not involve danger to life. When compared with, say, an operation for cancer or appendicitis, they are not grave operations in themselves. They are effective for their direct purpose and, in that sense, grave as regards their subject and society at large. But—and this is worthy of serious remark—they have no practical effect in repressing sexual instincts and evil habits, although they prevent their physical effects'' (*op. cit.*). Slightly different is the following version: ''In the case of

woman, the operation presents greater difficulties, because the opening of the abdominal cavity is required. The operation is also performed *per colpotomiam,* which, however, is not less hazardous on account of the hemorrhages which may follow. The woman must be placed under an anæsthetic; accordingly, the usual dangers attendant on abdominal operations and connected with the use of a narcotic are present. The mortality, however, does not exceed one or two per cent. The operation lasts about 45 minutes'' (Dr. Joseph Mayer, ''Die Unfruchtbarmachung Geisteskranker,'' in *Bonner Zeitschrift für Theologie und Seelsorge,* 1926).

''Both of these surgical methods have two defects: in the first place, they are painful and dangerous, at least in so far as woman is concerned; in the second place, the disability produced cannot easily be repaired. Sterilization by exposure to X-rays has the twofold advantage that it produces no pains and that the effects can be made temporary. The incidental after-effects, however, especially in the case of prolonged exposure, are more serious; the blood and the glands are unfavorably affected; in the case of woman, menstruation ceases and phenomena of the type of a premature and malignant climacteric are induced. . . . Just now experiments are being made to discover what degree and duration of exposure is required to produce definite temporary results. Moreover, the progress of X-ray therapeutics is likely to eliminate, or at least to reduce, the evils that at present attach to this procedure'' (Dr. Joseph Mayer, *loc. cit.*).[2]

Sterilization, in contrast with castration, leaves the sexual organs intact, and in no wise

[2] Cfr. Manfred Fränkel, ''Ueber Unfruchtbarmachung von Verbrechern und Geisteskranken durch Röntgenstrahlen'' (Berlin).

interferes with the sexual functions, which in every way can be performed in the normal manner except that they are frustrated of their natural and inherent purpose. We quote Dr. Austin O'Malley, who writes ("The Ethics of Medical Homicide and Mutilation," New York City): "The person upon whom vasectomy has been done, is conscious of no change. The semen is discharged as before the operation, but in a slightly less quantity, and it is, of course, sterile from the lack of spermatoza. Dr. Sharp of Indianapolis, after ten years' experience with the operation, says: 'There is no atrophy of the testicle, no cystic degeneration, no disturbed mental or nervous condition following.' "

One who had voluntarily subjected himself to this operation writes of its effects as follows: "The operation has proved a complete success in every way. Sexual functions are absolutely unaffected in any way whatsoever. There is no sense of discomfort or uneasiness in the sexual tract, and what seems strangest of all to me, is the fact that the semen, so far as one can judge by ordinary means of observation, is undiminished in quantity and unchanged in character. Of course, the microscope would reveal its fatal lack." The passage is quoted by Dr. Havelock Ellis, and is taken from the letter of a medical man who had vasectomy performed on himself for prudential reasons. It appears to be the general experience that, in spite of surgical sterilization, the sexual life retains its normal complexion. In no sense is it followed by asexualization and its attendant phenomena. Dr. Mayer offers testimony to the same

effect: "Menstruation and sex life mostly remain normal. The condition of sterilized men and women resembles very much that of men and women who have been rendered sterile respectively by an inflammation of the testicles or an adhesion of the tubes" (*loc. cit.*). From a moral point of view this is of vital importance, since it allows the exercise of the sexual function, but dissociates it from its natural end. The insidious character of the operation thus becomes quite obvious.

"That there exists an opposition on principle to sterilization, which places this operation in the same category with abortion and even condemns it more severely on account of its final character, appears from a remark of Müller-Schürk, who say: 'The artificial induction of sterility constitutes a partial deprivation of life, inasmuch as it prevents the extension of life to posterity'" (Dr. Robert Gaupp, "Die Unfruchtbarmachung geistig und sittlich Kranker und Minderwertiger," Berlin).

Sterilization a Grave Mutilation

Though in itself neither a dangerous nor very painful operation, sterilization must be looked upon as a very grave mutilation, since it deprives man of a power that forms an essential complement of the human personality. To take away from man the ability to reproduce his kind, means a drastic curtailment of his natural rights. Müller-Schürk make a clever point when they say that forced sterilization is equivalent to a partial death sentence, since it prevents man from continuing his existence in posterity. It is no longer necessary to argue the matter, since hardly any-

one could be found who would be prepared to deny that surgical sterilization constitutes a really grave mutilation, robbing man of a very essential prerogative.

If this is so, it follows that sterilization can be justified only by very serious reasons. The graver the mutilation, the more urgent must the motives be by which it is to be sanctioned. Man may not use his body wantonly, and is bound to preserve its members and functions intact unless some higher good is at stake. "A mutilation of this kind," writes Dr. Austin O'Malley (*op. cit.*), "since it frustrates the production and action of the human generative semen and prevents generation, is what is technically called a mortal sin against nature, unless there is sufficient cause to necessitate the frustration, such as to save life, to restore as a sole means the health of the whole body, to protect society, or a similar reason."

Substantial agreement among theologians exists on this point. We quote Father Thomas Slater, S.J.: "There is some conflict of expert opinion about the physical effects and consequences of the operation, but, even if we admit Dr. Rentoul's contention that if properly performed no external deformity or other evil effects of any sort follow from it, yet physiologically and morally the operation is a serious mutilation of the human body in a most important organ. Such a mutilation can only be allowed when it is necessary in order to save the whole body, or by public authority in punishment for crime, as theologians commonly teach with St.

Thomas'' (''Questions of Moral Theology,'' New York City). Against the gravity of the mutilation we have to weigh the gravity of the purpose for which it is either voluntarily suffered or authoritatively imposed. The lines of the argument by which we will have to establish the lawfulness of surgical sterilization or prove its unlawfulness are thus clearly indicated.

It may be added that there is something particularly degrading about compulsory sterilization, which might lead to very unfavorable psychical and moral reactions in the subject. For this reason Dr. Havelock Ellis (*op. cit.*) would not even have it inflicted as a punishment: ''We must, too, dismiss the idea of castration as a punishment; as such, it is not merely barbarous but degrading, and is unlikely to have a beneficial effect. A man who has been degraded and embittered by an enforced castration, might not be dangerous to posterity, but might very easily become a dangerous member of the society in which he actually lived.''

''The movement in favor of castration appears to have begun in the United States. It was first advocated merely as a punishment for criminals, and especially sexual offenders. From this point of view, however, it seems to be unsatisfactory and perhaps illegitimate. In many cases castration is no punishment at all, and indeed a positive benefit. In other cases, when inflicted against the subject's will, it may produce very disturbing mental effects, leading in already degenerate or unbalanced persons to insanity, criminality, and antisocial

tendencies generally, much more dangerous than the original state. Eugenic considerations, which were later brought forward, constitute a much sounder argument for castration; in this case the castration is carried out by no means in order to inflict a barbarous and degrading punishment, but, with the subject's consent, in order to protect the community from the risk of useless or mischievous members.'' The logic of this passage is somewhat awry, for it would seem that what is degrading for the criminal would also be degrading for everybody else.

CHAPTER VI

MORAL ASPECTS OF STERILIZATION

With the aim of Eugenics, if it remains within reasonable and attainable limits, we have no quarrel. Health is a desirable thing. To endeavor to eliminate or at least to reduce disease, is a laudable enterprise. This is the object of medicine, and Holy Writ itself has word of praise for the physician. If it is right for the individual to seek health and physical wellbeing, it cannot be wrong for the race. Hence, we say that there is nothing objectionable in a movement that aims at the production of a healthy and sturdy race, provided that in the pursuit of this laudable goal values of a higher order are not sacrificed or jeopardized. "No one," writes Father Valère Fallon, S.J. ("Eugenics," New York City), "will deny that each generation can and ought to pay attention to the maintenance and, if possible, improvement of its own state. Why should each generation confine its concern to itself, and say: 'After me the deluge'? Why should it not also think of the future, and ensure, by methods which are moral, that future generations shall be free from the very grave defects from which it has

itself suffered, and from those extremely harmful propensities which have made the practice of duty so difficult? From the moral point of view, the object of Eugenics is as praiseworthy as that of medicine." In this sense the object aimed at by Eugenics is not only licit but a duty, if not of justice, at least of charity.

"The aim of all eugenical endeavor is the production of a physically, spiritually and morally sound race, the conservation of favorable hereditary traits; and at present the great task is the arousing of the indifferent to the needs of the situation. . . . Charity and welfare work cannot afford to ignore the aims of the movement for race improvement. We can and must take an interest in these matters, since the aims and often also the basic principles and the methods of racial hygiene are in conformity with what we have been taught in Christian doctrine concerning the purpose and the duties of human existence. He who is not concerned about the ways by which we may escape racial degeneration, or who goes so far as to deny that a possibility of deterioration exists, is not abreast of the times" (Oskar Meister, "Rassenkunde und Seelsorge," in *Die Seelsorge*, May, 1926).

The problem, then, resolves itself into a question of the means to be employed, for in our philosophy a good end does not of itself legitimize all means. For us it is possible only to approve of such means as are either good in themselves or at least morally unexceptionable. All eugenic measures proposed will have to be subjected to a

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severe moral test, and can be passed upon favorably only when they do not conflict with the dictates of the eternal law.

One of the most radical measures proposed for the attainment of racial purification and improvement is surgical sterilization of the unfit in order to prevent the perpetuation of harmful hereditary strains. To the consideration of this proposal we will now give our attention.

The Right to Life and Bodily Integrity

Neither the individual nor the State has an absolute dominion over life. The supreme lord over life is God, who has kindled the spark of life, and who, therefore, may extinguish it at His own pleasure. The individual may not recklessly or wantonly cast away his life, and the State may not arbitrarily take the life of its subjects. The rights of the State over life are considerably restricted, and are confined to certain definite circumstances.

The individual is also entitled to bodily integrity. Mutilation may not be inflicted upon him except in those instances which are provided for in the natural law. Besides, man may never be made a mere means either in the hands of another human individual or in those of the State. He cannot be simply sacrificed to the so-called common good, taken in the abstract and viewed as an end in itself.

These rights are the essential corollaries of the inherent dignity of man, and are accordingly inseparable from him. They remain as long as the individual retains his essential manhood. They are his from the first moment of his conception to the last breath. Human personality is invested with something tremendously sacred which clings to man, to whatever depth of degradation he may fall. "There is," Father Fallon reminds us (*op. cit.*), "in every man, even the most degraded, something sacred which commands respect. There is in him a slumbering mind, a torpid will, a soul which sleeps. The organs are indeed defective. They stifle the inward flame, and prevent it from bursting forth and manifesting its brilliance. They cover up the gold with a formless, rough, opaque and perhaps repugnant dross. But the flame, the gold, the man, is present there after all." Our age has forgotten this great truth, and must, therefore, be reminded of it. The present generation has lost its spiritual vision and sees only with the sensual eye. It can, therefore, almost in the same breath plead for the abolition of capital punishment and for the painless killing of incurables and defectives. To us, however, no outward deformity can completely conceal the imperishable human dignity. Man to us always is man, however much deformed and disgusting he may appear.

"The moral law infers an important duty from this truth: Whatever happens, man must always be treated as a brother, not as a slave, and still less as a brute beast. Thus, apart from the case of legitimate defense or of punishment imposed by law, the taking of human life is strictly forbidden. There can then be no question of suppressing the weak, diseased, abnormal, or defectives, by any kind of euthanasia. The respect due to human life is binding from the first instant when the child has commenced to live in its mother's womb right up to the time when death supervenes in the ordinary way of nature" (Father Fallon, *op. cit.*).

Therapeutic Sterilization

Sterilization having properly been classified as a grave mutilation, everything applies to it that the moral theologians lay down concerning this category.

The surgical removal of a diseased organ, even though it results in impotence or sterility, is according to the unanimous teaching of the theologians unquestionably permissible. We have in this case indirect sterilization, since it is not intended for its own sake, but merely permitted as a concomitant effect. This case presents no difficulty, and gives rise to no dissenting opinions. Reason tells us that it is lawful to sacrifice the part in order to save the whole.

"The fourth case supposes that the vasectomy was done to cure the man of some malady. If there were

a malady that endangered the patient's life or destroyed the health of the body, and it could be cured by vasectomy, the operation would of course be licit for the reasons given in the chapter on General Principles concerning mutilation. . . . The operation of vasectomy as a cure for bodily ill has a very limited field. There are very many conditions in women where it is necessary to remove the ovaries or the tubes to save life, or to cure chronic invalidism of an unbearable nature. There is no objection to the removal of a tube or an ovary when such removal is absolutely necessary, but the necessity must be clearly evident. There is a tendency in some surgeons to mutilate women in this manner without sufficient reason or to follow out a therapeutic theory'' (Austin O'Malley, M.D., Ph.D., LL.D., ''The Ethics of Medical Homicide and Mutilation,'' New York City).

But in connection with therapeutic sterilization a much more complicated and difficult situation presents itself. It is the case of an individual who suffers from morbid sexual erethism, owing to physiological disorders of the sex organs or pathological functioning of the sexual glandular system. The claim is made that sterilization in this case will save the affected individual from complete idiocy, which otherwise would inevitably result. If this is so, it seems that all the conditions are present that would justify a grave mutilation, such as sterilization undoubtedly is. Father Arthur Vermeersch, S.J., takes this view: ''Castrationem tolerare nemo potest ad servandam castitatem vel vincendas tentationes, quia remedium istud non est necessarium ad istum

finem et sæpe ineptum. Si vero possit homo simili operatione ab insolita et morbida concupiscentiæ vi liberari, operationem, seclusa alia meliori via, honeste fieri existimaverimus. Quare si vero, per vasectomiam quispiam ad justam temperiem perventurus sit, operationi consentire posse nobis videtur" ("Theologiæ Moralis Principia, Responsa, Consilia," Rome).

Let us subject the case to a more detailed examination and try to ascertain whether really all the elements are present that would justify a grave mutilation. The first requisite would be that we are really confronted by a pathological condition. The mere fact that the individual is weak-willed and deficient in self-control would not be sufficient, since it is possible to reinforce an impaired will by appropriate exercises and to acquire self-control. Moral evils are not fought by physical means. Moral diseases are to be cured by moral remedies. Hence, the situation must be one that presents genuinely pathological features. The normal individual can always work out his salvation without resorting to the extraordinary means of depriving himself of any organ that God has given him. Anent this question St. Thomas succintly writes: "Saluti spirituali semper potest aliter subvenire quam per membri præcisionem, quia peccatum subjacet voluntati. Et ideo in nullo casu licet membrum præscindere propter quodcunque peccatum vitandum. Unde Chrysos-

tomus exponens illud Matth. 19: 'Sunt eunuchi, qui seiposos castraverunt propter regnum cœlorum,' dicit: Non per membrorum abscissionem, sed malarum cogitationum interemptionem; maledictioni enim est obnoxius qui membrum abscindit; etenim homicidæ sunt qui talia præsumunt. Et postea subdit: Neque concupiscentia mansuetior ita fit, sed molestior; aliunde enim habet fontes sperma, quod in nobis est; et præcipue a proposito incontinenti et mente negligente; nec ita abscissio membri comprimit tentationes, ut cogitationis frenum'' (*Summa Theol.*, II-II, Q. lxv, art. 1, ad 3).

The principle as enunciated by St. Thomas is unimpeachable; its practical application, however, in the light of modern scientific discoveries requires a revision. We know more now about the influence of bodily conditions on our psychic life. It has been satisfactorily established that certain moral perversions have a physical substratum. Excessive erethism may have its origin in an abnormal functioning of the sexual glandular system. Now, in this case the resulting overwhelming sexual desires and the impulses for their gratification would have nothing to do with the will, but would have their seat in physiological conditions. A surgical operation, then, might well afford relief in a situation that would yield to no moral means. Contrary to the opinion of St. Chrysostom, concupiscence would be really diminished by such an operation, because the

abnormal sex urge in that case would come from excessive glandular secretion, and, when the flow of this secretion is stemmed, the cause of the abnormal sexual excitability would have ceased to exist, and the effect would likewise disappear. The operation, therefore, would not be trying to remedy a moral evil by physical means, but would be alleviating a physiological abnormality, in which there is nothing contrary to logic.

"A majority of modern moral theologians regard it as probable that sterilization is also licit when it is performed to reduce sexual erethism or allay criminal impulses, provided it can be proved that the pathological impulses have their origin in physiological abnormalities of the organs of reproduction or the sexual glandular system. . . . At a time when the physiological connection between glandular disorders and sexual desire was not yet understood, moral theologians commonly condemned this procedure on the plea that sin and the will to sin could be prevented only by spiritual, not by surgical, remedies. . . . But today we are aware that certain perverse and excessive sexual tendencies do not arise from a depraved will, but have their root either in physical disorders or in functional disturbances of the brain and the glandular system. And thus it might be possible that a surgical intervention would exert a wholesome influence on the sexual life of an individual afflicted in the manner described" (Dr. Joseph Mayer, "Die Unfruchtbarmachung Geisteskranker," in *Bonner Zeitschrift für Theologie und Seelsorge,* 1926).

Evidently what is intended in this case is direct sterilization. This fact we must not blink. The erethism is caused by the flow of the sexual secre-

tion. This flow is to be interrupted, and that means sterilization. A physical evil, hence, is the object of the will. This is only permissible where a greater evil is to be avoided. The evil in our case is complete idiocy—certainly, an evil of considerable magnitude. It is better for a man to be impotent than to become a hopeless and incurable idiot. Of course, we have to rely in this matter on the testimony of trustworthy psychiatrists, who inform us that, if in the case given the operation is not performed, idiocy is inevitable. Only where the sexual erethism is actually pathological (that is, founded in glandular disturbances), where it gives rise to intolerable urges, where other means prove unavailing, and where death or idiocy would be the final outcome, does sterilization seem to be therapeutically indicated and morally permissible.

"As a conscientious and capable physician has told me, vasectomy may be necessarily indicated in certain diseases. Since the above-mentioned psychiatrists maintain that vasectomy is necessary to save certain psychopathic masturbators from complete idiocy, the operation according to my opinion may be performed if the patients consent, for idiocy is indeed a serious malady to forestall which the means suggested seems legitimate" (Dr. Prümmer, O.P., "Sittliche Erlaubtheit einer gewissen chirurgischen Operation," in *Theologisch-praktische Quartalschrift*, 1923). Similarly Dr. A. De Smet, "De sponsalibus et matrimonio" (Bruges, 1920). The same eminent author treats the question at some

length in *Collationes Brugenses* (August, 1912). From the latter we take the following: "Jamvero, si confidere possumus testimoniis supra invocatis et experientiis factis, non auderemus dicere nunquam licitam esse posse vasectomiam directe provocatam auctoritate privata. Pone scil. virum aliquem abnormi secretione seminis continuo laborare et inde continuum pati erethismum sexualem, ita ut inde valetudo ejus. male afficiatur. Nonne, in supposito, quod effectus supra descripti ad vasectomiam consequantur, nonne, inquam, dici posset vasectomiam immediate conducere ad bonum corpus, et mediate tantum ad bonum spirituale? Posito huiusmodi abnormi corporis conditione vere pathologica, posito etiam quod frustra alia media fuerint adhibita, non auderemus, donec S. Sedes aliter judicaverit, vel donec circa effectus physiologicos et psychicos vasectomiæ accuratius instructi fuerimus, damnare virum qui illam operationem sollicitaret nec medicum qui ad illam peragendam operam suam præberet. Extra descripta omnino exceptionalia adjuncta, plane assentimur illis qui directam vasectomiam, auctoritate privata peractam, reprobandam dicunt."

Withal, the greatest caution is necessary since there is no certainty that the operation in question will have the desired effect. Dr. Geza von Hoffman, critically reviewing the much lauded benefits of therapeutic sterilization, finds the practice disappointing. At present a skeptical attitude is warranted.

"To be sure, the present state of psychiatrical research counsels caution. The remedial treatment of sexual erethism by means of vasectomy is a precarious affair. More than one was compelled to repeat concern-

ing this method of the therapeutic treatment of perverse or hypererotical individuals what Geza von Hoffmann said about the experiments along this line made in America: 'The sterilization of men proved disappointing' " (Dr. Joseph Mayer, *loc. cit.*).

Punitive Sterilization

As a penal measure sterilization is totally inadequate, because it secures none of the ends for which punishment is supposed to be inflicted. It has neither deterrent, nor reformative, nor reparative value. Hence, though we concede in general the right of the State to inflict mutilation as a penalty for crime committed, we do not regard sterilization as justifiable on account of its ineffectiveness as a punishment. We can see in it nothing but a gratuitous degradation that serves no reasonable purpose. The penalty for the particular crime for which sterilization was devised as a punishment, would have to be something far more drastic. Sterner times did not shrink from this severer measure, and, though we may look upon it as inhuman, it did conform to the idea of punishment. Dr. Charles Benedict Davenport is right when he says: "Will the frequency of the crime of rape be diminished by vasectomy? To many it would seem that to secure to a rapist his eroticism and uninhibited lust, while he is released from any responsibility for offspring, is not the way to safeguard female

honor. Castration for rapists would seem preferable to vasectomy."[1] Dr. O'Malley unequivocally condemns the use of vasectomy as a penal measure: "It is wrong because as a punishment it is neither effective nor necessary nor reformatory nor exemplary nor reparative—it lacks every quality of a justifiable punishment. There is no pain, no inconvenience caused by the operation, no sexual change perceptible, but a fitting of the criminal to indulge his lust without the various inconveniences of impregnation. Instead of being reformatory, it is conducive to crime. The operation is not a punishment to the men upon whom it is done, but it is an unnecessary deprivation of an essential right of these men—an excessive, ill-ordered attack on a primary right of man, and an act of violence against human nature and its Author without adequate reason."[2] Still, it cannot be demonstrated that the State exceeds its authority when it writes vasectomy as a punishment for certain crimes into its penal code.

"Mutilation is not in keeping with modern humanitarian ideas, and the painlessness of the operation makes it unfit to be used as a deterrent. However this may be, there does not seem to be any grave moral objection to such a use of vasectomy or fallectomy, if the State

[1] "Heredity in Relation to Eugenics" (New York City).

[2] *Op. cit.* Father A. Schmitt, S.J., arrives at the same conclusion: "Irrespective of any right of the State, this operation is irrational and inappropriate as a punishment" (*Zeitschrift für katholische Theologie,* 1913).

so decreed'' (Rev. Thomas Slater, S.J., ''Questions of Moral Theology,'' New York City). Father Prümmer thinks that those States that have fixed vasectomy as a penalty for certain sexual offenses have not gone beyond their legitimate powers, though he is convinced of the unsuitableness of the punishment: ''Hence, theoretically nothing can prevent the State from making compulsory sterilization the penalty for certain major sexual transgressions, nor can it be convincingly proved that the United States has exceeded its authority when it punishes by compulsory vasectomy a negro for the crime of rape committed on a white girl. Still from the preceding it would appear that vasectomy is a decidedly unsuitable punishment.''

Strictly Eugenical Sterilization

Eugenical sterilization in the strict sense differs essentially from the preceding two types in that it is neither therapeutic nor punitive. It is purely preventive and prophylactic, its one purpose being to prevent the transmission of undesirable hereditary traits to posterity by entirely depriving the individual of the faculty of procreation. Patently in this case sterilization is intended directly, since the only reason for the sake of which it is performed is to render conception impossible. It may be rightly regarded as the most radical contraceptive method so far known to science. It is on this purely eugenical type of sterilization that interest at the present time chiefly centers, punitive sterilization having no

ardent advocates and therapeutic sterilization being left to the medical profession. "But the whole tendency is," writes Mr. Harry H. Laughlin of the Eugenics Record Office, "to sweep aside punitive sterilization as repugnant to the spirit of our institutions, because, if not cruel punishment, it is at least unusual, and there is not always a direct correspondence between hereditary degeneracy and a specific crime. The only non-therapeutic justification for sexual sterilization is to prevent reproduction on the part of persons whose offspring, according to the demonstrated rules of heredity, would probably be highly inadequate or degenerate. Discarding punitive sterilization, different States continue to legalize sexual sterilization on the purely eugenical basis. This tendency is not only sound biologically, but is sound legally. Sterilization cannot be used as a punishment; it should therefore be administered only in the interests of general racial welfare, regardless of the criminalistic tendencies of the person operated upon."[3]

Eugenical sterilization, then, is a social measure administered for the common good. This is important, for in that case it can only be imposed by those who have charge of the common weal—that is, by legitimate public authority. With regard to this point absolute unanimity exists among moral theologians, who all emphatically

[3] "Eugenical Sterilization" (New Haven, Conn., 1926).

and uncompromisingly deny to private persons the right to impose eugenical sterilization, since such a right transcends the sphere of their competency.[4] The real problem is whether public authority possesses such a right. This question is not yet definitely settled.[5]

[4] "Probably all Catholic moral theologians are absolutely unanimous in maintaining that all direct sterilization by private authority is forbidden" (Dr. J. Mayer, *loc. cit.*).

[5] "An entirely different and much contested question is the problem of the sterilization of mental patients on the grounds of a higher authority—for example, on the grounds of state laws for the protection of society" (Dr. J. Mayer, *loc. cit.*)

CHAPTER VII

THE STATE AND EUGENICAL STERILIZATION

The question whether the State has a right to impose sterilization on those whom it deems unfit to propagate the human species, presents a focal point at which many lines of argument intersect. It cannot be treated in isolation, but must be viewed in relation to many other ethical problems upon which it bears. It ramifies in many directions, and has broad surfaces of contact with such basic problems as the extent of state authority, the nature of marriage, the existence of natural rights, the dignity of human personality, and the right of the Church to enact matrimonial legislation in behalf of its subjects. We are confronted by a very complex situation that demands the utmost circumspection.

"These various enactments, actual and prospective, are mentioned here to give some idea of the trend of thought outside of the Church. The encroachment of remedies such as the above on the liberty of the subject and on the actual matrimonial discipline of the Church, will be immediately apparent. The moment they are mentioned, there arises a clash of interests, ideals and sentiments. To allow defectives unrestained liberty

would appear to be a menace to the welfare of the community, whilst to subject them to all the remedies proposed would seem to be an unnecessary violation of their rights and perhaps an infliction of unwarranted cruelty. We must move warily and scientifically'' (Rev. Thomas J. Gerrard, ''The Church and Eugenics'').

The question becomes even more complicated by the fact that modern morality shows a willingness to dissociate sexual life from the duty of procreation. Marriage in this new ethics is not essentially connected with the begetting of children, and the contracting parties may at their discretion entirely or in part exclude this purpose. According to this view, the sexual act is justified in itself and for its own sake, and requires no ulterior end for its justification. Thus Dr. Havelock Ellis, who writes as follows: ''We have seen that the art of love has an independent and amply justifiable right to existence, apart altogether from procreation. Even if we still believed—as all men must once have believed and some Central Australians yet believe—that sexual intercourse has no essential connection with the propagation of the race, it would have full right to existence. In its finer manifestations as an art, it is required in civilization for the full development of the individual, and it is equally required for that stability of relationships which is nearly everywhere regarded as a demand of social morality. . . . Sexual union, for a woman as much as for

a man, is a physiological fact; it may also be a spiritual fact; but it is not a social act. It is not until a child is born or conceived that the community has any right to interest itself in the sexual acts of its members. The command 'Be fruitful and multiply,' which the ancient Hebrews put into the mouth of their tribal God, was, as Crackanthorpe points out, a command supposed to have been uttered when there were only eight persons in the world. If the time should ever again occur when the inhabitants of the world could be counted on one's fingers, such an injunction, as Crackanthorpe truly observes, would again be reasonable. But we have to remember that today humanity has spawned itself over the world in hundreds and even thousands of millions of creatures, a large proportion of whom, as is but too obvious, ought never to have been born at all, and the voice of Jehovah is now making itself heard through the leaders of mankind in a very different sense. The second great channel through which the impulse towards the control of procreation for the elevation of the race is entering into practical life, is by the general adoption, by the educated classes of all countries, of methods for the prevention of conception, except when conception is deliberately desired. It is no longer permissible to discuss the validity of this control, for it is an accomplished fact, and has become a part of our modern morality. Marriage,

in so far as it is the partnership for mutual help and consolation of two people who in such partnership are free, if they please, to exercise sexual union, is an elementary right of every person who is able to reason, who is guilty of no fraud or concealment, and who is not likely to injure the partner selected, for in that case society is entitled to interfere by virtue of its duty to protect its members. But the right to marry, thus understood, in no way involves the right to procreate. For, while marriage *per se* only affects the two individuals concerned and in no way affects the State, procreation, on the other hand, primarily affects the community which is ultimately made up of procreated persons, and only secondarily affects the two individuals who are the instruments of procreation. So that, just as the individual couple has the first right in the question of marriage, the State has the first right in the question of procreation. The State is just as incompetent to lay down the law about marriage as the individual is to lay down the law about procreation."[1] Here the impossible is attempted. Procreation is not an accident of sexual union, but is naturally and essentially bound up with it. To separate the two is an arbitrary proceeding neither intended nor sanctioned by nature. Such separation is only effected by human perversion, which has invented mechanical devices to frus-

[1] "Studies in the Psychology of Sex" (Philadelphia).

trate the purposes of nature. Nevertheless, it can easily be seen how this new ethical theory gives a novel twist to the question with which we are dealing, for according to it marriage and sexual intercourse would not have to be denied to those who have been deprived of the procreative faculty. Since we cannot accept this view, we must of necessity be more loath to concede to the State the right to deprive a class of individuals of the procreative power, and thus to bar them from the happiness and the consolations of married life. Sterilization in our view entails a very serious disability. It excludes the sterilized individual from the state of matrimony, and compels him to lead a celibate existence. Hence, it is impossible for us to regard sterilization as lightly as some advocates of Eugenics are inclined to do.

Extent of State Authority

There still exists a group of philosophers who merge the individual in society and loudly proclaim the absolute character of the State. According to the teachings of this group, the individual has no inalienable rights which the State is bound to respect. This belief in State omnipotence is more widespread than we imagine. In many arguments it is the tacitly accepted, though not openly avowed premise. In his painstaking study on sovereignty, Professor Harold J. Laski

says:[2] "We have been perhaps too frankly worshippers of the State. Before it we have prostrated ourselves in speechless admiration, deeming its nature matter for the most part beyond our concern. The result has been the implicit acceptance of a certain grim Hegelianism, which has swept us unprotestingly on into the vortex of a great All which is more than ourselves. Its goodness we might not deny. We live, so we are told, but for its sake and in its life, and are otherwise non-existent. So the State has become a kind of modern Baal to which the citizen must bow a heedless knee."

State absolutism is expressed in the following passage: "The individual man is really only an abstraction, like the atom of the physicist. In so far as concerns all that constitutes him a man, he does not stand forth first as an individual and then enter into communion with others, but without this communion he is not a man at all" (Paul Nathrop, "Sozialpädagogik"). The same view is reflected in the following quotation: "M. Gabriel Tarde in a picturesque passage once wrote: 'We are told that our body is a little condensed air, living in the air; might we not say that our soul is a bit of society incarnate, living in society? Born of society, it lives by means of it.' Lest this may seem to be the far-fetched hyperbole of a mystic, let it be said that such doctrine is the uttermost commonplace of social psychologists. It is for this reason that, in looking for the principle of societal life, we do not need to grub around for some special or recondite social instinct, altruistic

[2] "Studies in the Problems of Sovereignty" (New Haven).

impulse or group faculty, either inherited or injected. The principle lies implicit in man and his development. He cannot become man, a human individual, without at the same time becoming incorporated beyond recall and almost beyond analysis into the mental whole which constitutes society, for the social bond is established and rooted in the development of self-consciousness itself. Here we are plumped once more into the problem of the individual *versus* the group. Is the individual made for society, or society made for the individual? Neither. Which was prior? Again neither. They are complementary and indispensable to each other. Yet the individualistic philosophers, and even so modified an individualist as Professor Eucken, charge us unceasingly to remember that the individual is everywhere and always something above and beyond a mere portion of the social whole. He is fundamentally and eternally himself, unique, a member if you please of some higher spiritual order, God's Universal Kingdom. 'The individual,' says Eucken, 'can never be reduced to the position of a mere member of society, of a church, of a state; notwithstanding all external subordination, he must assert an inner superiority; each spiritual individual is more than the whole external world.' It is idle thus to oppose society to the individual'' (Dr. Arthur James Todd, ''Theories of Social Progress,'' New York City).

Scholastic Philosophy is clear and emphatic on this point. ''We must insist,'' writes Dr. J. Elliot Ross, C.S.P., ''that the authority of the State is subject to the moral law, and that the moral law guarantees certain inalienable rights to the individual. The State exists for the good of the individual, and not the individual for the good

of the State. Any theory making the State omnipotent, is un-Christian and must ultimately lead to disaster. In harmonizing the claims of the State and those of the individual, no philosophy has been more successful than the Scholastic. This follows the golden mean, defends the individual against unjust aggression by the State at the same time that it insists upon the individual's duties to the common good."[3]

Dr. Charles C. Miltner, C.S.C., is equally outspoken: "It will scarcely be contradicted that society exists for the sake of the citizens, for their good, their welfare. It follows, therefore, that individuals and families do not exist for the good of the State, but, *vice versa,* the State exists for the good of the individuals, and it finds its justification solely in the accomplishment of that end. The reason for this, says Dr. De Wulf, is because every human individual has a sacred value, an inviolable individuality, and as such he has a personal destiny, a happiness, which the State must aid him to realize. It follows also that the individual has rights which the State may not molest; rights which in its legislation it is bound to respect, and that not for a time or a given locality, but always and everywhere, for they are rights inherent in the human personality itself. These are the rights connoted in the declaration of American Independence. We hold these truths to

[3] "Christian Ethics" (New York City).

be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. Scholastic Ethics, therefore, finds itself in perfect accord with genuine fundamental American political theory, and thus upholds just and stable government by defending the rights and the dignity of the governed."[4]

The extent of the power of the State is measured by its needs. It may legitimately do whatever is necessary for the realization of the end for which it exists. Those who claim for the State the right to make sterilization compulsory in the case of a certain class of individuals, must prove that such action is necessary for the common good, or that it is required by the State as a means of self-defense against the dangers arising from this class. The State has a right to protect itself, and, if it becomes evident that the sterilization of defectives is the only effective protective measure by which the State can secure its continued existence and ensure the common welfare, the moralist no longer can deny it the right to this measure. This point will hardly be disputed. But controversy begins as soon as we approach the two questions of fact involved in the above proposition. It will be denied that the existence of defectives constitutes a menace of such really

[4] "The Elements of Ethics" (New York City).

alarming proportions that it could not be met by less drastic methods, and it will be contended that sterilization really will not prove an efficacious means of escaping the alleged danger. It will also be urged that, even if the conditions set forth were verified, the remedy proposed is fraught with such inherent possibilities of abuse that on that score it would have to be rejected. These objections will have to be considered in detail, since they are of a very serious nature.

"Wherefore, the ruler has the right under certain previously stipulated circumstances to mutilate and even put a subject to death, either for the punishment of crime (the punishment being necessary to deter others from felonies), or directly for the defense of society or individuals against the guilty person. These principles, furthermore, furnish the solution of our inquiry. But from these principles it is abundantly clear that we cannot recognize the ruler's right to order the operation of vasectomy, except in so far as it is evident that this mutilation (in the case of certain individuals or a certain class of individuals) is necessary for the protection of life or the preservation of the very social life of the State, or is necessary as a punishment or as a direct defense against pernicious elements that are gravely jeopardizing the safety of the State. This condition, which is necessary for the legitimizing of any grave mutilation whatsoever, must be all the more strictly insisted on here in view of the major gravity of the mutilation of vasectomy, especially when we consider that it not only constitutes sterilization, but produces impotency and thus constitutes an impediment to marriage" (A. De Smet, "De Vasectomia," in *Collationes Brugenses*, 1912).

The Menace of the Feebleminded

The presence of a large number of mental defectives enjoying unrestrained freedom constitutes, no doubt, a real danger to the community. Some of them are criminally inclined, and thus furnish a large percentage of that class which threatens the peace and the order of society. Others, though free from criminal tendencies themselves, readily become the victims of the unprincipled members of the community. They are an invitation to criminal exploitation on the part of the unscrupulous. Moreover, when they are allowed to propagate, they infect the better stocks of the community, and in this manner contribute to a gradual deterioration and degeneration of the race. Consequently, it is perfectly legitimate to speak of a menace of the feebleminded. This, however, merely proves that feeblemindedness is a phenomenon to which an enlightened community must devote serious attention, and with which it must learn to grapple effectively. Feeblemindedness must be kept under control, and its growth must be checked. Indifference in this respect would lead to very disastrous consequences. It may be put down to the credit of eugenists that they have aroused society to a realization of the grave peril in its very midst. From this, however, to the advocacy of extreme measures and drastic legislation is a long step.

None but alarmists will claim that the menace

at present has reached such proportions that society might be said to be in an actual state of self-defense. Surely, it is downright folly to underestimate an evil, but it is equally foolish and pernicious to exaggerate a danger. Unreasoning fear has frequently led men into calamitous errors. There is just now the possibility that a panicky fear of an imaginary invasion of degenerates will prompt society to adopt measures of self-protection of which in soberer moments it will feel ashamed. We have good reasons to suppose that the fear of racial degeneration which has gripped some social reformers and makes them clamorously demand drastic measures of prevention, is not free from hysterical elements. It is a pity that popular opinion usually oscillates between extremes; rarely does it assume a calm and genuinely critical attitude. Reformers not unfrequently are even more hysterical than the public. Very little light can be expected from these quarters. The following passage aptly describes the divergence of sentiment existing with regard to our problem: "Toward the feeble-minded there have been displayed most divergent attitudes, ranging from complete indifference to great alarm. Even today, large numbers of the American people seem to take no interest whatever in the problems presented by our mental defectives, while others go up and down the land, forecasting the downfall of our civilization if the

rapid multiplication of the feebleminded be not hastily checked. But not only is there a great variety in popular attitudes; scientific men as well have disagreed radically concerning the social significance of feeblemindedness. Thus, Terman has told us all feebleminded are at least potential criminals, while Healy has informed us with equal assurance that he has found the accepted dictum which holds that the feebleminded person is a potential delinquent to be utterly untrue."[5] Under such circumstances, to speak of a condition of emergency due to the rapid increase of degeneracy would undoubtedly be exceedingly rash and wholly unscientific. It would be unwarranted to assert that society at present is confronted by a real emergency, as far as the problem of feeblemindedness is concerned. We are as yet in no danger of being overwhelmed by an imminent invasion of degenerates.

"Furthermore, most of the modern States are exposed to at least no immediate danger from destructive racial elements. Moreover, many States have at their disposal quite other ways and means to meet the peril of racial deterioration. Consequently, legal sterilization is for the present decidedly premature" (Dr. Joseph Mayer, "Die Unfruchtbarmachung Geisteskranker," in *Bonner Zeitschrift für Theologie und Seelsorge,* 1926).

The first condition, then, that would legitimize sterilization as a measure of social self-protec-

[5] Dr. Stuart Alfred Queen and Delbert Martin Mann, A.M., "Social Pathology" (New York City).

tion, seems to be absent. It cannot be proved that a state of emergency exists. Wisely, therefore, we hesitate to concede the State a power of so far-reaching and summary a nature. We cannot bring ourselves to sacrifice the rights of a number of unfortunate individuals to avert an illusory danger, which may turn out to be nothing but a phantom existing merely in the minds of some alarmists and pessimists. Before we make such a vital concession, we must have proof of a more substantial and convincing character. The negative conclusion at which Father A. De Smet arrives (*loc. cit.*) appears to be in full accord with the principles of ethics and borne out by the facts. It reads: "Vasectomia non est medium necessarium quo societas sui incolumitatem directe protegat et defendat contra nocentes. In hoc præprimis insistunt licitatis patroni, quatenus timendum velint ne defectivi et abnormes, si servetur eorum fœcundandi potentia, proles generent defectivas et ad crimina proclives, quarum multitudine ipsa societatis existentia in discrimen vocetur. Jamvero non admittimus ex procreatione prolium degenerum ex illis viris periclitari societatis existentiam. Numerus namque huiusmodi virorum et prolium inde nascentium, in Statu aliunde rite moderato, semper manebit relative exiguus, et societatis integritas stare potest cum existentia quorundam membrorum abnormium et degenerum."

Dr. Austin O'Malley writes: "The advocates of freakish legislation harp on the assertion that insanity and imbecility are increasing alarmingly, and as a consequence the entire nation is degenerating. . . . It is not true that insanity and mental imbecility are increasing in a very marked degree in the United States. The number of inhabitants in this country is increasing rapidly, and, as there are more people here than there were a few years ago, the number of the insane and the mentally defective has increased *pari passu,* but the percentage does not increase to any degree that calls for immoral and ineffective legislation. Only of late years have the State governments begun to classify, diagnose, and gather up the insane and the imbecile, whom we always have had with us, and these processes have brought the defectives into the light" ("The Ethics of Medical Homicide and Mutilation," New York City).

A return to more conservative positions is in evidence. Very noteworthy are the findings of the Central Association for Mental Welfare, an organization in London which during the past ten years has taken care of 34,000 cases of mental abnormalities. In a statement to the London *Times,* they give it as their conviction that "a general policy of sterilization would be ineffective in prevention; that the freedom accompanying it would be attended with positive harm to the defectives themselves; that it would delay institutional provision for their segregation, which we regard as the only safe remedy; finally, that it would fail to provide any effectual safeguard either

for defectives or for the community."[6] Here we have testimony that cannot be taken lightly, since it emanates from men who have both knowledge and experience. Apparently, these men know nothing of an alarming situation that threatens society with dire ills and that calls for radical measures of self-defense. From the calm tone that pervades their report, it appears that they have the situation well under control, and that they feel able to cope with it without emergency measures. We do not wish to be understood as belittling the evils of feeblemindedness or underrating the danger of racial degeneration. These evils are very harrowing, and this danger is very real. Society must take cognizance of its mental defectives, and do everything in its power to alleviate their woeful condition; it must likewise try to prevent the growth of degeneracy. But we hold that both of these ends can be obtained by more humane and effective methods than sterilization. The latter represents an emergency measure to which society should have recourse only after other promising policies have been given a fair trial and failed.

"Without discussing these proposals in detail, we must draw this conclusion from the whole discussion, that there are better ways than killing or sterilization to preserve society from intolerable injuries" (Caritas, Freiburg, July, 1926).

[6] Quoted from *America*, March 27, 1926.

CHAPTER VIII

PUBLIC AUTHORITY AND THE UNFIT

When the welfare of society is actually imperilled by an increase in mental deficiency that cannot be controlled by the ordinary means, public authority seems to have a right to resort to sterilization of the unfit as a measure of self-defense. Though this right may be conceded in the abstract, it does not immediately follow that the State under existing circumstances is empowered to exercise it, since its exercise is dependent on a number of conditions that have to be verified. The first condition already referred to is the existence of a state of emergency; the existence of such a state may be categorically denied, and hence the government is not authorized to have recourse to this extreme measure, which constitutes such a violent and drastic invasion of the most elementary human rights. This becomes clearer when we consider that the moralists who grant public authority this right, vindicate it by the same arguments by which they defend the State that sends thousands of its best and fittest

sons to death in case of war. Surely, a measure defended on such a basis is not one that can be applied except under the gravest circumstances.[1] The common good, particularly in the case of imminent danger, prevails over private interests. Thus St. Thomas (Summa contra Gentiles, III, 146): "Bonum commune melius est quam bonum particulare unius. Subtrahendum est igitur bonum particulare, ut conservetur bonum commune." We sometimes forget the fact that medieval society allowed much interference with personal liberty and individual rights in the interest of the common welfare. The common good loomed large in the speculations of the moralists, and the sense of social duty was strongly developed. The Middle Ages did not shrink from harsh measures when the common good was at stake.

Practically, however, at present the case must be decided against the State. Society has at its disposal other effective means by which it can protect itself adequately against the dangers resulting from mental deficiency.

[1] "For its protection the State may sacrifice millions of its best sons in battle; for its protection, namely for the prevention of epidemics, it may make vaccination obligatory and inoculate innocent children with the virus of cowpox, thus exposing them to violent fevers and even to the danger of death. By the same token, the State must also have the right for its own protection to deprive mental defectives and the criminally insane of the power of generation by a relatively trivial operation" (Dr. Joseph Mayer, *loc. cit*).

Segregation

Of course, the segregation of the unfit constitutes also a serious invasion of their personal rights; withal, the privation of liberty is not as radical and repulsive a proceeding as sterilization. While institutional confinement always will have its unpleasant aspects and can never be rendered wholly attractive, still it can be shorn of its worst features and rendered bearable. Since the segregation to which mental defectives would be assigned is in no way punitive, it should be made as pleasant as the circumstances permit. No harshness and no unnecessary rigors of any kind should be associated with it.

That in some way the increase of undesirables should be prevented, will be admitted by all who are interested in progress and civilization. Now, segregation of the unfit during the generative period of their lives will serve the purpose. As long as this humane method of dealing with the unfit is capable of keeping the evil under control, there is no reason for employing more radical measures. No opposition would arise to segregation, nor does it shock our moral sensibilities. It is, therefore, infinitely preferable to sterilization, and moreover must be given an extensive and thorough trial before the State could regard itself as justified in legalizing sterilization.

The means must be proportioned to the end. If the same end can be obtained by a less drastic procedure, the more drastic action is not permissible. If I can defend my life adequately without killing my aggressor, I have no right to take his life. This rule holds in our case, where there is question of the self-defense of society against the feebleminded. Father A. De Smet argues well in the following passage: "Equidem, juxta statuta principia, posset Status, in boni communis tuitionem ac suæ conservationis tutelam, quemcunque cohibere a mortifero vulnere inferendo societati; sed rursus ordo esset servandus in electione mediorum, nec posset ad mortis illationem et mutilationem procedi nisi exhaustis aliis remediis; non posset ad functionis generativæ suppressionem deveniri quousque sufficere appareat usus interdictio. Jamvero Status occurrere posset periculo ex hac parte minitante, descriptos viros a matrimonio arcendo, contra eos inducto impedimento dirimente, vel, in quantum hoc remedium non est satis efficax, eos recludendo et libertate privando" ("De Vasectomia," in *Collationes Brugenses,* 1912).

We quote Dr. Charles Benedict Davenport, who is not opposed to sterilization on principle, but merely objects to it on grounds of expediency. Nevertheless, he says: "Is there any alternative besides sterilization or asexualization? There doubtless is, though it may at first be more expensive. This method is the segregation throughout the reproductive period of the feebleminded below a certain grade. If, under the good environment of institutional life, they show that their retarded development is a result merely of bad

conditions, they may be released and permitted to marry. But such as show a protoplasmic defect should be kept in the institution, the sexes separated, until the reproductive period is passed. If this segregation were carried out thoroughly, there is reason to anticipate such a reduction in defectiveness in 15 or 20 years as to relieve the State of the burden of further increasing its institutions, and in 30 years most of its properties, especially acquired to accommodate all the seriously defective, could be sold. We have the testimony of Dr. D. S. Jordan (1910) that the cretins who formerly abounded at Aosta in Northern Italy were segregated in 1890, and by 1910 only a single cretin of 60 years and three demicretins remained in the community. Sœur Lucie, at the head of the work of the Little Sisters of the Poor, summed up the position in these words: 'Il n'y en a plus.' Such, then, would seem to be the proper program for the elimination of the unfit—segregation of the feebleminded, epileptic, insane, hereditary criminals and prostitutes throughout the reproductive period, and the education of the more normal people as to fit and unfit matings."[2]

The most vehement opponents of sterilization are willing to accept segregation as a substitute, if the evil assumes dimensions that make public action imperative. Among these is Dr. Lawrence

[2] "Heredity in Relation to Eugenics" (New York City).

F. Flick, who writes: "The sterilization of the insane, the feebleminded, and of the degenerate is at first blush a very attractive proposition, but it will not bear philosophical analysis. As an assault upon man's inalienable rights, it should be frowned down upon by every one who loves freedom. It has no justification in medical science. Insanity, feeblemindedness, and degeneracy are not yet well understood, and their transmissibility from parent to offspring has not been proven. That such individuals should not be allowed to reproduce, can be defended upon other grounds than those of eugenics; but such an end may be reached by other methods than by sterilization. Segregation will do all that sterilization will do, and it will do it without trespassing upon the inalienable rights of man and without injuring the moral sense of the community. It is true that segregation may be a greater financial burden than sterilization, but we must not forget that it may be much cheaper in matters of this kind to carry a financial burden than to escape it."[3] Mr. F. P. Kenkel writes in the same strain ("Segregation of the Feebleminded," in *Central-Blatt and Social Justice*, February, 1926): "The problem of the feebleminded cannot be ignored. The very fact that sterilization of those unfortunates is constantly being recommended and even practised, will not permit Catholics to neglect it any

[3] "Eugenics" (Philadelphia).

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longer. We have on many occasions spoken on behalf of segregation, which, we believe, accords fully with sound ethical standards. . . . Since the Church helped to stamp out leprosy by enforcing the segregation of the lepers, going so far as to excommunicate those who would not take their abode in the institutions created for their shelter, we believe it is safe to say that we may concur in the opinion that under present circumstances segregation of the feebleminded is necessary and should be made possible."

Father Thomas J. Gerrard likewise favors segregation —voluntarily for those who are capable of exercising choice in the matter, and compulsory for those who are incapable of deciding for themselves: "A little positive knowledge, however, of what has actually been accomplished in the way of voluntary segregation is enough to demonstrate conclusively the needlessness of surgery. Feeblemindedness is a defect for which there is absolutely no cure, though there may be improvement. Therefore, if the patients are to be cared for efficiently, the care must be lifelong. Farm and industrial colonies are admitted on all hands to be the best suited institutions for this purpose. Herein America undoubtedly leads the way. . . . With institutions, then, such as Waverley, Ursburg, Sandlebridge, Gheel, and Besford Court before our minds, we have no scruple in brushing aside as anti-eugenic and inhuman and unnecessary the proposal for the application of surgery. The same institutions, on the other hand, constitute a strong practical argument in favor of compulsory segregation in the case of those who are incapable of a rational choice.

If the life there is so happy, moral and useful, both to the patients and the community, then those who need it and are unwilling to submit to it may be considered unreasonably unwilling. Provided all due safeguards are taken in respect of the grades of feebleness, then there seems every reason why a benign Government should take charge of these dangerous units of society. But, in that case, there should not be any exception for the rich. Society suffers its full share of injury from the rich degenerates, even as from the poor ones. The success of the before-mentioned colonies has shown that it is quite practicable to grade the feebleminded according to social as well as intellectual standards. This ensures that the patient is not deprived of liberty unduly, that he does not lose his strict rights. Although the spirit of ecclesiastical legislation stands for individual freedom against the tendency of the State to curtail it, we cannot deny the competence of the latter to safeguard the welfare of the community by the segregation of those members who are a real and serious danger'' (''The Church and Eugenics,'' Oxford).

Even the point of expense upon closer consideration will appear to have been overemphasized. If defectives are properly cared for, there will be considerable saving in other directions. Families that are now greatly hampered by the care of a defective member, will be relieved of this pressing burden and enabled to turn their activities to productive pursuits. This in turn may raise the living standard of the entire home. Crimes that might be committed by these irresponsible individuals will be prevented, and thus

their later commitment to correctional institutions can be forestalled, which again will result in worthwhile economies. Under appropriate supervision and patient guidance, the higher grades of the feebleminded may become in a limited measure self-supporting, again in this manner saving society considerable expense. Taken all in all, segregation will not be such an expensive procedure. This phase of the situation is brought out very strongly in the following passage: "The feebleminded are persons mentally deficient from birth or from early infancy to any degree that prevents them from competing on equal terms with normal individuals and from managing their own affairs with ordinary prudence. They are divisible into three classes: (1) Idiots never reach mentality equal to that of the normal three-year-old child. They have no use or understanding of language. Perhaps 10 per cent of feebleminded persons are idiots. (2) Imbeciles can talk, play and do some kinds of useful work, but do not advance mentally beyond a child of seven years, and rarely learn to read or write. (3) Morons learn to read and write and work sufficiently to earn a good living in an institution, but are not capable of doing so without the supervision and protection afforded by the institution. They are very suggestible, easily led, incapable of resisting temptation. The feebleminded are children, whatever their age. They have, as a

rule, large families and propagate their kind. Isolation of all feebleminded persons would be costly, but would greatly reduce the amount required for prisons and almshouses. Moreover, the morons, or working class of inmates, would make up the chief addition to the institutional population, and they would nearly support themselves under institutional supervision, so that the cost of their care would be comparatively slight, and the service to society from their segregation would be incalculably great. They themselves would be happy, for they are easily made so, instead of miserable and abused. And the burden of society in the next generation, in criminals and paupers, would be diminished. At present, society is giving proper care to only a small fraction of its feebleminded children. A very considerable proportion are confined as criminals and delinquents in reformatories and prisons, which with proper care they would have escaped. A great number are at large, a peril to themselves and a menace to society. So long as our colonies for the feebleminded are inadequate for the proper accommodation of all, it is of importance that preference should be given to the addition of females, especially to the morons and high-grade imbeciles, who are otherwise subject to vicious abuse and who will otherwise multiply and perpetuate their kind."[4]

[4] Dr. Edward Cary Hayes, "Introduction to the Study of Sociology" (New York City).

The segregation to be effective must be permanent, or must at least extend over the entire reproductive period. Otherwise it will serve no useful purpose. The feebleminded, though matured in age, are not able to consult their interests, and fall an easy prey to seduction. Unfortunately there are but too many unscrupulous individuals in the world who will not hesitate to take advantage of this helplessness. The segregation must likewise be very rigid. It is not feasible to allow the feebleminded to spend a prolonged holiday at their homes without strict supervision, for considerable harm may be done in an unguarded hour. In fact, they can never, even for a brief moment, be left without care and exposed to the dangers of social contacts with men of low moral standards. It must be remembered that they are utterly lacking in moral resistance, and that they are unable to weigh the consequences of their actions. Says Mr. Kenkel: "It must not be supposed, however, that it is merely the younger feebleminded person, or one who is a member of a family of degenerates, who is in danger of being seduced. It very often happens that a feebleminded girl is protected by the supervision of her parents until she is 25 to 30 years and more of age. As her natural guardians die or are enfeebled by advancing years, she falls more and more into the hands of those who are without regard for her interests. Additional years bring no wisdom to the feebleminded, and many give birth to their

first child after they are forty years of age."[5] Hence we may say that in this case eternal vigilance is the price of safety. A single moment can undo the work of years. Of course, this is true of every human being, but it is more emphatically true in its application to the feebleminded, who always remain children and utterly helpless.

Two cases, contained in the *Report* of the Superintendent of the Minnesota School for Feebleminded and Colony of Epileptics to the Board of Control, for the biennial period ending June 20, 1924, make clear the necessity of permanent segregation. The report says: "A. G. was admitted to the institution in 1913. She was then ten years of age, and tested 6½ mentally. She was taken out in 1920 by her father, who established pregnancy in her within five days afterward. She was not returned to the institution until some time after the child was born. She came back with syphilis. During the seven years this girl was in the instiution, from the age of 10 to 17, she was sweet, clean, well-mannered and fairly industrious. At the age of 19, when she was back in the institution with an awful disease and with experience including maternity and relations with her father and many others, she resented giving up the life she had entered on and her forced return to the institution. Her disposition had changed to sullenness and coarseness, and she exhibited a nature generally depraved. J. E. was received from the State Public School at Owatonna in 1915, at the age of 15 years. She had been placed in the state school when very young on account of the wretched surroundings at home. In 1920 a married sister began persistent efforts to get the girl out of the institution, flatly stating J. was no more feebleminded than she was. This may have been true,

[5] Kenkel, *loc. cit.*

but J. tested only about eight years mentally. Through the intercession of an attorney who was interested in humanity and wanted to give to a girl that was not feebleminded the freedom to which she is entitled as a birthright from on High, the sister's efforts were successful, and J. was released to her and taken to the northern part of the state. She was soon out of her sister's hands and staying out all night with men. She was returned to the institution pregnant and gave birth to a child within a few months after her readmission. This girl had led a happy, contented life at the institution, but being returned against her will and thinking of past experiences, she will never again be satisfied to be shut off from the world. Thus, the reports on what are common experiences to those who must deal with feebleminded girls and women'' (F. P. Kenkel, *loc. cit.*).

If segregation can effectively prevent the increase of feeblemindedness and if it does not impose an intolerable burden on the community, it is to be preferred to sterilization as more in harmony with the principles of sound morality and more in keeping with the sentiments of humanity nurtured by Christianity. In fact, sterilization should no longer be mentioned until the more humane method of segregation has been tried on a large and extensive scale. The talk of the advocates of sterilization has done real harm and retarded the application of more enlightened methods, because it has distracted interest from the problem of segregation by suggesting a seemingly more effective and plausible scheme. It is on the problem of segregation that the attention of society should be focused.

CHAPTER IX

STERILIZATION AND HEREDITY

Practical moral problems have a perverse and vexatious way of being extremely complicated and elusive, since so many factors enter into them and render the final solution dependent on a great number of conditions which it is difficult to survey at one comprehensive glance. Hastiness and dogmatism, accordingly, are very much out of place when dealing with a concrete ethical situation, for a minor detail suddenly turning up may give an entirely new complexion to the problem, and call for a revision of a confidently given decision. Hence, the well-known and sometimes disconcerting caution and even timidity of noted moralists. The man of affairs, impatient of delay and anxious for action, looks for clean-cut and quick decisions; but such in the nature of the case are dangerous and impossible.

So it happens in our case. Another factor is injected into the problem and requires careful consideration. It is the important question of the manner in which heredity works in concrete and individual cases. The fact of the hereditary transmission of character traits cannot be

doubted, but the laws of such hereditary transmission are as yet little known. In fact, they are shrouded in great obscurity. This is universally admitted even by ardent eugenists, who on this account warn against hasty measures. To make eugenical sterilization by State authority legitimate in a concrete case, it would not be enough to possess certainty of the general facts of heredity, but there would also have to be certainty that in particular this couple would give rise to defective and degenerate offspring. It is true that the State has the right to inflict capital punishment, but, before it can do this, it has to prove that a particular individual is guilty of the crime for which the death penalty is provided. We know with what extreme care the State proceeds in this matter. The same principle applies in the case of sterilization. Before it can be legitimately applied, it would have to be shown that this particular individual will be responsible for a defective progeny, and thus become a menace to the community. The feebleminded, after all, are entitled to at least as much consideration as the criminal. But it is just at this point that our knowledge of heredity breaks down lamentably. In this respect we can foresee and foretell very little. However, to inflict sterilization on an individual without moral certitude that he would become a social menace, cannot but be regarded as a grave injustice.

"The certainty of heredity must be established, and this not only in a general way, but also in the individual case. Accordingly, only when it has been ascertained beyond peradventure that a certain definite couple can produce only mentally defective offspring, may there be question of sterilization by State authority" (Dr. Joseph Mayer, *loc. cit.*). What the present sentiment in the matter is, appears from the remarks of Dr. Bumke at the recent Congress of German Natural Philosophers and Physicians held in Düsseldorf: "Bumke of Munich said that the U. S. methods of sterilizing insane and subnormal persons were senseless. Doubtless he did not know that in the U. S. (in spite of permissive laws passed last year in Idaho, Minnesota, Oregon and Utah) sterilization, to prevent transmission of mental insufficiency from parent to offspring, is not favored. Too little is yet known about eugenics, U. S. physicians feel, to incur the legal risk of controlling procreation. They feel also that promiscuous sterilization would induce prostitution among women, baser vices among men. Professor Bumke's arguments against such operations duplicated the U. S. attitude. He did, however, supply a new and quaint observation. 'There are,' he said, 'too many lunatics at large in the world for wholesale castration' " (quoted from *Time*, October 4, 1926).

The following quotation from Dr. Charles Benedict Davenport illustrates the situation: "It may be pointed out that such legislation as is enacted does not square with what we know about heredity. It is based on the old notions that parents transmit their traits to their children. Now we know that traits are transmitted by means

of the germcells and by them alone, and the resemblance of children to parents is due to the fact that both arise from the same material—the father is half-brother to his child. While a feebleminded person lacks, *ipso facto,* the determiner for normal development in his germcells, still we do not know that his children will be defective. Such evidence as we have goes rather to show that, if, for example, a man whose germcells have the determiner for normal mentality marry a feebleminded woman, all of the children will be mentally normal or practically so. I can well imagine the marrying of a well-to-do mentally strong man and a highgrade feebleminded woman with beauty and social graces, which should not only be productive of perfect domestic happiness but also of a large family of normal happy children. Half of the germcells of such children would, indeed, be defective, but as long as the children married into normal strains, the offspring, through an indefinite number of generations, would continue to be normal. Yet in many States of the Union such a marriage cannot be legalized; and, in others, the potential mother might be sterilized."[1] Here, then, we have a case in which a prohibition of marriage—or, what is still worse, law-enforced sterilization—would have prevented much human happiness. The

[1] "Heredity in Relation to Eugenics" (New York City).

thought of allowing the State thus ruthlessly to interfere with human happiness is intolerable. The Church in these matters is much more considerate. She does not ride roughshod over human rights and human happiness. She does not stand in the way of the marriage of anyone, as long as no injustice to a second party is involved. She may counsel voluntary celibacy, but she rightly hesitates to impose compulsory celibacy on anybody.

"People laboring under infectious diseases are, of course, to be dissuaded from marrying while they are in that state. But, as ecclesiastical law stands at present, such persons are not absolutely prohibited from marrying one who knows of the disease and who is willing to take the risks. The Church has always considered that those who wish to marry and have not voluntarily renounced it, have a strict right to do so, and that neither she nor the State can interfere with that right except for the greatest reason. Thus, she allowed lepers to marry even with the probability that if children were born they would inherit the parental taint. Theologians teach that the rule laid down for lepers may be applied to other infectious diseases. Without doubt, a chief reason for this teaching is the grave moral danger to souls which would be the consequence of enforced celibacy. After all, we must guard against not only bodily disease, but the far more terrible diseases of the soul. It is natural that the Christian theologian and the materialist should not be able to look at such questions in quite the same light. They differ radically in their scale of values" (Rev. Thomas Slater, S.J., "Questions of Moral Theology," New York City).

The Laws of Heredity

In the preceding case we observe that the mental defectiveness of the mother does not appear in the offspring. It behaves as a Mendelian recessive—that is, it yields to the dominant character of normal mentality. Low mentality is due to the absence of a certain factor in the germplasm; but, to prevent feeblemindedness, it is sufficient if this factor is supplied by one of the germcells. In the case cited, the positive element was supplied by the paternal germcells.

"Low mentality is due to the absence of some factor, and, if this factor that determines normal development is lacking in both parents, it will be lacking in all of their offspring. Two mentally defective parents will produce only mentally defective offspring. This is the first law of inheritance of mental ability. The second law of heredity of mentality is that, aside from Mongolians, probably no imbecile is born except of parents who, if not mentally defective themselves, both carry mental defects in their germplasm. Many a person of strong mentality may carry defective germcells, and, whenever two such persons marry, expectation is that one-fourth of their offspring will be defective. If a person that belongs to a strain in which defect is present (and who consequently may be carrying the defect in his germplasm) marry a cousin or other near relative (in whom the chance is large that the same defective germ is carried), the opportunity for two defective germcells to unite is enhanced. Such consanguineous marriages are fraught with grave danger" (Dr. Davenport, *op. cit.*). Incidentally, we see that modern science

bears witness to the wisdom of the marriage legislation of the Church regarding consanguineous unions.

It has been well established that, not the individual as a whole, but the germplasm is the bearer of heredity. In the germcells are certain unit characters which determine the inherited traits. That much we know; about the distribution of these unit characters we know as yet very little. This unsatisfactory state of our knowledge prompts Dr. Davenport to say: "If one is provided with a knowledge of the methods of inheritance of unit characters, it might seem to be an easy matter to state how each human trait is inherited, and to show how any undesirable condition might be eliminated from the offspring and any wished for character introduced. Unfortunately, such a consummation cannot for some time be achieved. The reason for the delay is twofold. First, we do not yet know all of the unit characters in man; second, we can hardly know in advance which of them are due to positive elements, and which to the absence of such."

"The method of inheritance of these characteristics is not always so simple as might be anticipated. Extensive studies of heredity have, of late years, led to a more precise knowledge of the facts. The element of inheritance is not the individual as a whole, nor even, in many cases, the traits as they are commonly recognized, but, on the contrary, certain unit characters. What are, indeed, units in inheritance and what are complexes, it is

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not always easy to determine, and it can be determined only by the results of breeding" (Davenport, *op. cit.*). "Weismann's theory involved the conception of a sharp cleavage between the general body tissues or somatoplasm and the reproductive glands or germplasm. The individual was merely a carrier for the essential germplasm whose properties had been determined long before he was capable of leading a separate existence" (Prof. R. C. Punnett, "Mendelism," New York City). Heredity, then, depends upon the *gametes,* the original reproductive cells, for these are the carriers of the unit characters. In the light of this explanation we will understand the following passage: "We are in the hands of the *gametes;* yet not entirely. For, though we cannot influence their behavior, we can nevertheless control their unions if we choose to do so. By regulating their marriages, by encouraging the desirable to come together, and by keeping the undesirable apart, we could go far towards ridding the world of the squalor and the misery that come through disease and weakness and vice. But, before we can be prepared to act, except perhaps in the simplest cases, we must learn far more about them. At present we are wofully ignorant of much, though we do know that full knowledge is largely a matter of time and means" (*op. cit.*). It is thus that all these glowing predictions end, with a note of doubt and uncertainty.

Still, the knowledge of heredity so far obtained is not without practical value. If prudently and discreetly used, it can help to eliminate certain diseases from the family and improve the strain. Again we quote Dr. Davenport (*op. cit.*): "The law of segregation of traits, the disproof of the

blending hypothesis, is of the utmost importance since it shows how a strain may get completely rid of an undesirable trait. If the undesirable character is a positive one, like polydactylism, it will disappear if the normal children alone have offspring. If it is a negative character, its complete and certain elimination is not so easy to be assured of, but offspring without the undesirable trait are easily secured if marriage be always with germplasm that is without the defect. Thus, a simpleton married into a mentally strong strain will probably have mentally well-endowed offspring. Here is where the beneficence of heredity clearly appears."

Not all are convinced of the power of heredity. Thus, the author of the following passage does not share the ardent enthusiasm of Dr. Davenport. "There is no doubt," he says, "that many people are inclined to overlook the significance of heredity. Hence a strong presentation such as that of Davenport is valuable. Nevertheless, it is possible to give our attention too exclusively to heredity. If biological inheritance were the whole, or even the chief explanation of human misfortune, there would be little to do for those in trouble. There would be no program of amelioration except eugenics. But, as we proceed with the study of human maladjustments, we shall find many whose difficulties are overcome, in spite of whatever handicaps may have been imposed by heredity. We shall find important changes wrought in health, in economic status, and in personality. Such practical observations predispose us to accept the conclusions of another eminent biologist

when he says: 'It is not true that what an organism shall become is determined, foreordained, when he gets his supply of chemicals or *genes* in the germcells, as the popular writers on eugenics would have us believe. Every individual has many sets of innate or hereditary characters; the conditions under which he develops determine which set he shall bring forth.' Hence, we accept as our working hypothesis the belief that other factors are at least no less important than heredity. While it is highly desirable to know as accurately as possible the inherited capacity of any individual, it is at least equally essential to know what other factors have helped to make him what he is, because it is these other factors which may be modified'' (Stuart Alfred Queen, Ph.D., and Delbert Martin Mann, A.M., ''Social Pathology,'' New York City). Eugenists have made a veritable fetish of heredity, and allowed it to eclipse every other factor. Into such narrowness and onesidedness we must not permit ourselves to slip. Let us keep in mind that, though heredity may be much, it is not all.

Heredity, then, has its advantages as well as its disadvantages. Often it works for race improvement. Nature usually has remedies for the evils by which it is afflicted. It has a marvelous power of recuperation, and is able to rid itself of race poisons if its dictates are obeyed. Thus, Dr. Lester F. Ward writes: ''There are many ways in which Nature strives to maintain a perfect race, and even to improve it. I have grouped all these tendencies together under the phrase 'biological imperative,' and it constitutes one of the most salutary principles of sociology. Moreover, it is

not recognized or understood by eugenists, which is a serious defect in their doctrine. It is the *vis mediatrix naturæ* of society. A large part of the degeneracy of the higher classes is due to the neglect of this principle, and to the attempt, often successful, to defeat its normal operation. There has been too much interference with Nature's ways. Man assumes to know better than Nature how to guide the forces of heredity. He sets up artificial imperatives, and he thereby thwarts Nature in her wholesome tendencies, which all look to the vigor of the race. It is these manifold social and artificial restraints that are bringing about race degeneracy and social decadence. There is serious danger that the teachers of eugenics may take a false road, and, in so far as they can influence human selection, may work deterioration rather than amelioration."[2]

We have no intention of belittling the interesting facts that modern research into the mysterious ways of hereditary transmission has brought to light. These findings are in many cases highly instructive, and can be turned to practical use. They certainly do tell us how much human misery can be prevented. To this phase of the question we will turn later. The only point we wish to make now is, that our present state of knowledge concerning the laws of heredity does not warrant

[2] "Eugenics, Euthenics, and Eudemics," in *The American Journal of Sociology* (1913).

the passing of legislation that would deprive large groups of the population of a basic human right. For such far-reaching methods our knowledge is neither sufficiently accurate nor certain. As a man may not be condemned on merely probable evidence, so may he not be deprived of a right, unless it is certain that the exercise of this right will prove a danger to others and a menace to the public good. That, in our case, has not been established beyond the possibility of reasonable doubt. Consequently, the State must refrain from such wholesale destruction of rights as would be involved in legalized sterilization. Briefly, the case may be put as follows: "A much sounder reason for hesitating to impose sterilization upon any large number lies in the doubt as to diagnosis and prognosis, the difficulty of drawing a line between those whose offspring are very likely to be defective and those whose parenthood involves no menace to society" (Queen and Mann, "Social Pathology").

Thus, Dr. Lawrence F. Flick also writes: "We hear much of heredity in eugenics. . . . A great many statistics have been gathered to prove that physical defects, diseases and degeneracy are hereditary. . . . Most of the statistics have been gathered by men who started out to prove a theory. In the conclusions there has been inadequate differentiation between the effects of heredity and the effects of environment. . . . It is doubtful whether physical defects, diseases, and degeneracy can, in a biological sense, be transmitted. . . . Around off-

spring nature has thrown extraordinary protection against the transmission of disease from parents. . . . It is, therefore, not quite consistent with physiological truth to speak of poisoning the blood-stream of the offspring through the parents; and the old saying of a taint in the blood must be taken figuratively, not literally'' (''Eugenics,'' Philadelphia). Dr. James J. Walsh harps on the same string: ''Heredity is a very vexed question, with regard to which most varied opinions are held even by those apparently justified in having opinions, so that it is evident we are as yet only crossing the threshold of definite knowledge and are not near anything like the clear view that many people have imagined'' (''Essays in Pastoral Medicine,'' New York). The same learned Doctor in another place says: ''What recent advance in the knowledge of heredity has shown us very clearly is, that no one can tell with any assurance beforehand just how far the offspring is likely to resemble or be dissimilar from its parents. We can be quite sure that their child will not be like either of them completely, nor on the other hand represent in any way an exact combination of their qualities. How far their child may partake from either parent qualities beyond the more obvious physical resemblances, only time can determine'' (''Safeguarding Children's Nerves,'' Philadelphia).

With such doubts still subsisting, action would be immoral, because there remains the possibility of doing a great injustice to many who in no way may be regarded as a public menace. Rights are very serious things, and may not be trifled with. Hence, this line of approach leads again to the same conclusion, namely, that in the present state

of knowledge the State must abstain from enacting indiscriminate sterilization laws, for by doing so it might commit a serious injustice.[3]

[3] "Meanwhile we must content ourselves with saying that the genealogical study of families in our states has not progressed to the extent that we could venture, except in very few cases, a prognosis as to degenerate progeny" (Joseph Mayer, *loc. cit.*). Similarly, Dr. Robert Gaupp: "Members of the profession will readily admit that at the present stage of biological knowledge there is something more urgent to do than to inaugurate eugenical legislation. The real task before us now is to discuss the ways by which sound knowledge concerning the laws that govern heredity can be substituted for vague impressions resting on isolated and insufficient data" ("Die Unfruchtbarmachung geistig und sittlich Kranker und Minderwertiger," Berlin).

CHAPTER X

PRACTICAL OBJECTIONS AGAINST LEGALIZED STERILIZATION

Many a scheme that appears unexceptionable and promising from a theoretical point of view, would, if put into practice, encounter so many difficulties that it must be dismissed as unfeasible. The apparent good is entirely outbalanced by the real practical evil, which is so inextricably bound up with the former that the two cannot be separated in actual life. Thus, many an excellent scheme has to be condemned on account of its impracticability. Hence, a law to be good must be enforceable in such a way that the enforcement does not give rise to evils that are greater and more serious than the abuses at which the law is aimed. Otherwise the law means no gain to the community, but frequently a very considerable loss. Legislators have not always given due attention to this important point, and as a consequence have framed statutes that have only proved an embarrassment and become prolific sources of evil.

A law making sterilization compulsory for all defectives would seem to be of this type. Legal-

ized eugenical sterilization is fraught with such potentialities of abuse that on this score alone it ought to be rejected. It is dangerous to grant the State an ill-defined power which could be extended indefinitely and easily turned into an instrument of tyranny, or which in its administration might become identified with corrupt practices. To what extent this holds good with regard to eugenical legislation, we shall see.

The Supreme Court of New Jersey recognized the inherent possibility of abuse lurking in the Sterilization Act of April 10, 1911, and declared it unconstitutional. The reasons for its decision are morally sound and very instructive. They deserve to be remembered and carefully pondered. The Court argues with unimpeachable logic that, if for the sake of the common good the power to sterilize the unfit were conceded to the State, it might on the same plea be extended to the victims of other afflictions or diseases transmissible either by heredity or infection. The State might even use this power to stamp out other qualities it deemed undesirable for some reason, or exercise it in the interests of eugenical birth-control. These dangers may appear remote; they are, nevertheless, anything but imaginary.

That they are not imaginary, and that the eugenists are prepared to go to a very great length in the purification of the race, appears from the fact that in the drafts of what is termed a model eugenical sterilization law

the concept of socially inadequate classes is given an exceedingly wide comprehension. We read in this draft: "The socially inadequate classes, regardless of etiology or prognosis, are the following: (1) feebleminded; (2) insane, including the psychopathic; (3) criminalistic, including the delinquent and wayward; (4) epileptic; (5) inebriate, including drug-habitués; (6) diseased, including the tuberculous, the syphilitic, the leprous, and others with chronic, infectious and legally segregable diseases; (7) blind, including those with seriously impaired vision; (8) deaf, including those with seriously impaired hearing; (9) deformed, including the crippled; and (10) dependent, including orphans, ne'er-do-wells, the homeless, tramps, and paupers." The concept of heredity is also made very elastic: "Heredity in the human species is the transmission, through spermatozoon and ovum, of physical, physiological, and psychological qualities, from parent to offspring; by extension it shall be interpreted in this Act to include also the transmission post-conceptionally and ante-natally of physiological influences from parent to offspring" (Harry H. Laughlin, "Eugenical Sterilization," New Haven, Conn., 1926). The power which a law of this kind would confer on the State is simply appalling.

Office of State Eugenicist

The door for intolerable and most humiliating interferences with private life and the home will be opened by legislation as it is planned by the eugenists. That becomes clear if we dwell on the ample powers that are to be connected with the office of the state eugenicist. This individual will be empowered to pry into the most intimate af-

fairs that families are wont to guard jealously from the eyes of outsiders. The model law enumerates his powers and duties as follows: "It shall be the duty of the state eugenicist: to conduct field surveys, seeking first-hand data concerning the hereditary constitution of all persons in the State who are socially inadequate personally, or who, although normal personally, carry degenerate or defective hereditary qualities of a socially inadequate nature, and to coöperate with, to hear the complaints of, and to seek information from individuals and public and private social-welfare, charitable, and scientific organizations possessing special acquaintance with and knowledge of such persons, to the end that the State shall possess equally accurate data in reference to the personal and family histories of all persons existing in the State who are potential parents of socially inadequate offspring, regardless of whether such potential parents be members of the population at large or inmates of custodial institutions, regardless also of the personality, sex, age, marital condition, race, or possessions of such persons; to examine further into the natural physical, physiological and psychological traits, the environment, the personal histories, and the family pedigrees of all persons existing in the State, whether in the population at large or as inmates of custodial institutions, who reasonably appear to be potential parents of socially inade-

quate offspring, with the view of determining more definitely whether in each particular case the individual is a cacogenic person within the meaning of the Act."[1] If we bear in mind that this investigation extends to the most intimate and personal matters, we can readily see that it is bound to become most distasteful and oppressive. It can very easily degenerate into an instrument of petty annoyance and spiteful chicanery. If we allowed our imagination free scope, we could visualize under such a law a repetition of conditions as they existed in the worst days of the inquisition or of witch-hunting, particularly as the pertinent definitions have purposely been made very comprehensive and inclusive. Few could hope to escape from molestation.

Here is another one of these definitions: "A potential parent of socially inadequate offspring is a person who, regardless of his or her own personal make-up, and of the hereditary nature of such person's co-parent, is a potential parent at least one-fourth of whose possible offspring, because of the inheritance from said parent of one or more inferior or degenerate physical, physiological, or mental qualities, would on the average, according to the demonstrated laws of heredity, most probably function as socially inadequate persons; or at least one-half of whose possible offspring would receive from said parent, and would carry in the family stock but would not necessarily show in the personality, the hereditary basis for one or more inferior or degenerate physical,

[1] *Loc. cit.*

physiological, or psychological qualities, the appearance of which quality or qualities in the personality would cause the possessor thereof to function as a socially inadequate person, under the normal environment of the State'' (*loc. cit.*). Lucky, indeed, are those who could not be made to fit into this wide and embracing category, and who accordingly would not come into contact with the state eugenicist.

Other Evil Results

The presence of a number of individuals in whom the sexual function has been dissociated from its natural consequences, but who otherwise have lost none of their sexual attraction, would be an invitation to libertinism of the most unrestrained kind to the unscrupulous elements of the community. A spread of immorality and of venereal disease would be the likely outcome. And moral evil is more ruinous to society than physical degeneracy. It undermines the foundations of the social structure in a far more radical manner than any amount of physical degeneracy could do. Even those who are not inclined to overemphasize moral and spiritual values, express serious alarm at the prospect of such consequences as might follow in the wake of sterilization practised on a large scale. Thus, Dr. Edward Cary Hayes writes: ''These operations when properly and effectively performed prevent parenthood. There is, however, difference of opinion as to the

moral consequences of turning loose a body of defectives, who may be physically attractive and who are entirely capable of sexual immorality, but insured against the possibility of parenthood. The chief moral danger is not to them, for they are little restrained in any case, but to others whom they may corrupt. Moreover, the harm to this and to succeeding generations caused by the spread of venereal disease through such persons might easily far more than offset the physical gains resulting from their sterilization. Furthermore, many of those to whom the operation would apply—indeed probably almost all of those to whom we can be sure that it might otherwise properly apply—require custodial care and can be restrained from parenthood without surgery."[2] Similarly, Dr. Charles Benedict Davenport: "It is urged as one of the advantages of vasectomy that it does not interfere with desire nor its gratification, but only with paternity. But is it a good thing to relieve the sexual act of that responsibility it ought to carry, and of which it has hitherto not been entirely free? Is not many a man restrained from licentiousness by recognizing the responsibility of possible parentage? Is not the shame of illicit parentage the fortress of female chastity? Is there any danger that the persons operated upon shall become a peculiar menace to the community through unrestrained

[2] "Introduction to the Study of Sociology" (New York City).

dissemination of venereal disease? Will the frequency of the crime of rape be diminished by vasectomy? To many it would seem that to secure to a rapist his eroticism and uninhibited lust while he is released from any responsibility for offspring, is not the way to safeguard female honor.''[3]

Many others entertain this same fear and express alarm at the possible moral degradation that might be brought on the community by the presence of a considerable number of sterilized individuals. We add one more quotation: ''Another ground of popular doubt has been the fear that with immunity from pregnancy there would be a rapid spread of sex vice and venereal disease'' (S. A. Queen, Ph.D., and D. M. Mann, A.M., ''Social Pathology,'' New York City). As to the tyranny to which eugenics might lead, Dr. Lester F. Ward says: ''Why, then, may not human nature be thus modified, and the human race be lifted up in the same way and to the same degree that the vegetable and animal races have been lifted up? Indeed, it seemed at first very simple, but the moment a practical application is contemplated an insuperable difficulty arises. The control of heredity is possible only to a master-creature. Man is the master-creature of the animal world. Society is the master of its defectives. But normal people are their own masters. History tells of sumptuary laws by which kings controlled the food and clothing of their subjects. This has all been long since done away with. But the most extreme sumptuary law would be liberty itself compared with any attempt on the part of society to control the choice of partners in their marital relations. This

[3] ''Heredity in Relation to Eugenics'' (New York City).

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would be a tyranny by the side of which all other tyrannies would fade into insignificance'' (''Eugenics, Euthenics, and Eudemics,'' in *The American Journal of Sociology,* May, 1913).

Inadequacy and Futility of Sterilization

Even such a drastic measure as eugenical sterilization by State authority might meet with considerable approval, if it were calculated to free the human race from the dreadful evil of mental defectiveness and its attendant ills. But such a hope is vain. Heredity is only one of several sources of feeblemindedness. In a community free from degeneracy at the time, degeneracy could arise *de novo.* Hence, the repulsive work of sterilization would have to be done over again. Few would reconcile themselves to such prospects. Sterilization might be tolerated as a measure of emergency; as a standing and permanent institution it is utterly intolerable. The fight against degeneracy must be waged on a much broader front. It must be directed against all the numerous factors that constitute contributory causes. If this is done, the race eventually may be freed from this ugly curse. Possibly it would require a longer time, but the process would be more effective. Hence, the emphasis should not so much be placed on negative but rather on positive and constructive eugenics. It is not so much the elimination of the unfit that should occupy our

attention, as the gradual building up of a sound race that by its own vitality liberates itself from racial infection. That is to be accomplished by a far-seeing and intelligent euthenics, which can be conceived in such a manner that all the moral and religious elements of the community are willing and glad to coöperate in it.

Eugenical sterilization is inadequate for the purpose of freeing the race from degeneracy. More is expected of it than it can possibly accomplish. It is not the great remedy that it has been heralded to be. Even those who are nowise prejudiced against it, admit this. Thus, Dr. Willystine Goodsell writes: "It is rather a pity in any way to detract from the effect of such rosy prophecies. Yet it should be remembered by the careful student that, even when society has taken steps to prevent the manifestly unfit of our generation from propagating, it has no assurance that the work will not have to be repeated in the next and the next generation, since the germcells contain a vast number of harmful potentialities that have never developed in the adults who transmit them. In the words of Dr. T. Calye Shaw of London: 'We may assist nature in the elimination of the unfit by placing under lock and key every degenerate of the country; but it would only be a respite, the condition would soon reassert itself, because, however we try to eliminate it, the measures cannot touch the elements which are present

in many of the lives which would be passed by the eugenists as sound, though they may only declare their existence too late and when the danger by transmission has been effected.' Such statements are calculated to dampen the enthusiasm of certain over-optimistic leaders in the eugenics campaign."[4] Likewise Dr. Arthur James Todd: "After all, will mere extinction of the known defectives touch the core of the problem? Not at all. Indeed, some critics hold that negative eugenics is not eugenics at all. The defectives who would thus be eugenically exiled, so to speak, constitute but a tiny fraction of society, only one-half of one per cent."[5] Dom Thomas Verner Moore, O.S.B., Ph.D., M.D., succintly puts the case: "In a dissertation submitted to the National Catholic Social Service School at Washington, Miss Waltha Kelley, following up the work of Potter and Viers, has pointed out that there are two types of feeblemindedness, the one hereditary and the other acquired. The old view was that feeblemindedness could be eliminated by preventing propagation amongst the feebleminded individuals, because all feeblemindedness is hereditary; and, therefore, if all those tainted by this defect can be prevented from propagating their kind, in a short time there will be no more

[4] "A History of the Family as a Social and Educational Institution" (New York City).
[5] "Theories of Social Progress" (New York City).

feebleminded in the world, and consequently this factor in delinquency will be eliminated. The matter, however, is not so simple. Some feeblemindedness can be eliminated this way; perhaps, one-half of it. The exact fraction has not yet been definitely determined. There remains, therefore, a goodly percentage of feeblemindedness, and delinquency due to it, which cannot be eliminated by segregation and sterilization" ("Remedial Possibilities in Juvenile Delinquency," Paper read at the twelfth annual meeting of the National Conference of Catholic Charities, Buffalo, New York, September 29, 1926).

In a chapter entitled, "Where Mental Defectives Come From," the above-mentioned joint authors of "Social Pathology" say: "A fourth theory and one deserving of careful consideration has been presented by Tredgold. It is to the effect that feeblemindedness may be traced most frequently to an impairment of the germplasm, which in its turn is due to some action of the environment. These pathological germinal variations, as he calls them, may be due to ancestral alcoholism, tuberculosis, syphilis and other similar causes. Tredgold believes that these account for perhaps 85 per cent of the cases of feeblemindedness. The remaining 15 per cent he traces to what he calls somatic modifications due to such diseases as scarlet fever, influenza, meningitis, etc., which produce lesions in the central nervous system, or due to some deficiency in the nutrition of cells in the central nervous system. . . . In recent years psychiatric clinics and bureaus of child study in the public schools have brought to light a type of feeblemindedness

previously almost unknown. Many of these come from homes of the better type, and have parents who are quite intelligent. Careful study of their family history discloses no trace of hereditary taint. Clinical studies made by Dr. Fernald at Waverly, Massachusetts, and Dr. Potter at Letchworth Village, New York, indicate that at least half of the inmates of these institutions are of the non-hereditary type. The examination of nearly two thousand feebleminded persons at out-patient clinics of the New York State Commission for Mental Defectives indicated that the heredity of nearly three-fifths was good. One other indication resulting from these various studies, which must be stated tentatively, but which is exceedingly hopeful if true, is that for the most part the higher grade morons and borderline defectives are of the non-hereditary type. Because there is yet so much to be learned about this whole matter, it is exceedingly unwise, most of all for the layman, to be at all dogmatic concerning the causes of feeblemindedness."

Since matters are such, sterilization loses much of its importance, and the grounds on which it might be justified shrink away from under it. Patently, its effectiveness has been overrated, and, once this is fully understood, it will find but scant favor, for it is only the promise of great good that could overshadow its ugly and repellent features.

Theoretically, eugenical sterilization rests, as we have seen, on very dubious grounds; from the practical point of view it is open to serious objections. Taking all this into account, one will hesi-

tate to approve of the measure and will warn against any experimentation in this direction. In general, we are inclined to say that the matter is too delicate and too intimately personal for legislation; whatever is to be done for race improvement, should be done through education.

"We may state that the Holy Office, which is a practical guide for the Catholic in all moral questions in any way dubious or controverted, has not yet pronounced any express decision on the morality of vasectomy. . . . Hence this question remains speculatively an open one, but in view of the above teaching it would not be safe to advocate even a restricted application of the practice. And we are glad to say that many modern eugenists are more or less at one with Catholic doctrine. Dr. Saleeby himself declares: 'We are dubious as to the help of surgery. It is necessary to be reasonable, and, in seeking the superman, to remain at least human'' (Rev. Thomas J. Gerrard, "The Church and Eugenics," London). Eminently right is what Dr. Havelock Ellis, whose verdict usually we cannot accept, says: "Legislation on marriage, to be effectual, must be enacted in the home, in the school, in the doctor's consulting room. Force is helpless here; it is education that is needed, not merely instruction, but the education of the conscience and the will, and the training of the emotions" ("Studies in the Psychology of Sex," Philadelphia).

CHAPTER XI

EUGENICS AND MARRIAGE

At this stage of the discussion it will be profitable to gather up the many loose threads of the argument and to weave them into some definite practical conclusions. Sterilization as a eugenic measure we have rejected, because it is contrary to human dignity and fraught with inherent possibilities of abuse in practice. We fear especially that the practice of sterilization on a large scale would lead to an atrophy of moral and humane sentiment in the community. Withal, we are not opposed to eugenical selection, if it is carried out in a manner consonant with the basic principles of morality and the spirit of Christianity. Unfortunately, Eugenics has become entangled with associations that render it repugnant to Christian thinking, and hence we must pick our steps carefully. Thus, for example, birth-control is advocated as the most effective instrument of eugenical selection. Here no compromise is possible, for we are unalterably opposed to birth-control on moral grounds, and can make no concessions in that direction.

In every act an important point to consider is the inevitable psychological reaction on the agent. The

worst thing about a brutal act is not that it hurts another human being, but that it brutalizes the doer. And here lies the deepest reason why the end can never justify the means; for, even though the evil act may have a beneficent objective result, it renders the doer subjectively bad and criminal. Enactment of sterilization laws would have its necessary psychological recoil on the community that passes them. Such laws would dull or kill the sympathetic instincts so indispensable for the wellbeing of the race. With some modification the following can be applied to our case: "There are those who, seeing in nature no law except that of the struggle for existence, have blamed Christianity for maudlin sentimentality, in that it has advocated the care of the sick, the unfit, and the feeble, and encouraged a principle so opposed to biological law as that of sympathy. In the interests of a virile race we should kill off the sick, the aged, and the unfit, and keep alive the strong. Suppose, then, in the interests of a virile race, you killed off the sick and the old. You cannot destroy the unfit without doing violence to the maternal instinct upon which the fitness of the race depends. If you killed off the sick, you must first have stifled the maternal instinct; and, if you stifle the maternal instinct, you would kill off the race. If we killed off the sick, far from having a virile race, we should have no race at all. The expression of sympathy and pity is not the outcome of maudlin sentimentality, it is the expression of a biological fact necessary to the preservation of the race" (Dr. J. A. Hadfield, "Psychology and Morals," New York City).

If birth-control is to be made an essential feature of the program of the eugenists, we can have nothing at all to do with it. We could not give the slightest support to a program that is iden-

tified with a practice so revolting to moral sentiment and so utterly at variance with Christian ideals. This repulsive feature, therefore, must be completely eliminated from the program in order to make it acceptable. It will appear, however, that much can be done for the prevention of degeneracy and the improvement of the race by strict adherence to traditional Christian morality. It is perhaps the most fatal illusion of our times that something which is morally objectionable can be socially beneficial, and that the health and the welfare of the community can be promoted by any measure that lacks the fullest moral sanction. Birth-control, because it does not possess this moral sanction, cannot raise humanity to a higher level. Eventually it will be found to accelerate that same racial deterioration which it is supposed to combat. Faith in birth-control as a means of race-betterment is being rudely shattered by observations that have been made in communities where it has been practised long enough to warrant a final verdict. The eugenical measures which we endorse must be in absolute harmony with the moral law; that is the best guarantee that they will really be safe and conducive to the common weal. To pin one's faith to anything morally dubious is nothing less than folly.

Already men are beginning to see that birth-control does not work in the interests of a better race, but that

on the contrary its action is dysgenic. "That selective propagation has worked unfavorably among the peoples of West European civilization is a fact often pointed out and abundantly substantiated by statistical material" (Dr. Robert Gaupp, "Die Unfruchtbarmachung geistig und sittlich Kranker und Minderwertiger," Berlin). Moreover, it is ill-advised to preach birth-control to, and to curtail the progenitive powers of a generation that has become weary of procreation. "No good purpose can be served by thinking of means to limit further the procreative ability of a nation, when that nation in this respect already has touched the nadir. In that case, even the most rational sterilization can have no other effect than to hasten the downfall. The prevalence of birth restriction in the Occident should serve as a warning against any attempts to tamper with the natural fecundity of the nation" (Dr. Abend, "Schutz des Lebens," in *Zeitschrift für pädagogische Psychologie,* Leipzig, 1926).

Fitness for Parenthood

Though not enough is known concerning the facts and laws of heredity to justify elaborate eugenical legislation, our knowledge in the matter is quite sufficient to make us realize the advisability and even the imperative necessity of a sound and enlightened eugenical education which would strongly emphasize parental responsibility. Marriage after all involves very much, and it should accordingly be approached with a serious mind and a full appreciation of the consequences that follow in its wake. It requires a certain

physical, mental and moral fitness, and he who does not carefully consider whether he possesses the necessary prerequisites must be accused of acting rashly in a matter of vital importance. Likewise, to select a partner of whose fitness nothing is known, must be deemed a rash act. Action of this kind is not that of a rational being, but is characterized by irresponsibility. Now, it cannot be denied that there exists entirely too much thoughtlessness in this respect. Quite frequently marriages are contracted which are bound to end in disaster. Considerable education will be required before any marked improvement can be expected.

This lack of forethought was lamented by the recent Birthrate Congress held in Paris. "The reporters for the Catholic section were all theologians, directors of Catholic associations, physicians, professors, and sociologists. With one accord they pointed out that young people today marry with insufficient knowledge of their duties, and proclaimed that the activity of parents in this respect must be greatly improved. If the work of parents is non-existent or wrong, the clergy should substitute for them as far as possible. It was admitted that all too frequently the negligence of parents is due to ignorance. Hence the necessity of enlightening them by means of tracts, sermons, meetings of mothers' clubs and family days. It was observed that among the masses, even in Christian families, marriages are contracted which offer no guarantee whatsoever of security" (N. C. W. C. News Service). Similarly, Father Valère Fallon, S.J., writes: "It is indeed strange that so many

men should take a step which affects their lives in the most serious and definite way possible without reflecting for a moment upon the duties which they are taking on themselves, and the consequences of their acts. As Monsieur Paul Bureau writes in his masterly work 'L'Indiscipline des Mœurs,' 'they are ignorant of the Laws which they transgress, and no one has ever pointed out to them that these acts which they think are quite private are in reality, like every other, social acts also, and even social acts *par excellence*, inasmuch as their effect upon the prosperity or suffering of human society is immense.' In view of the dangers which married people tainted with certain maladies create for each other, and to which they expose their offspring, the modern conscience must be awakened and even shaken. . . . To turn now to hereditary maladies, we may ask whether young people may marry when they know that they will transmit the grave diseases from which they are suffering to their offspring. From the point of view of the children, the solution is simple. There is no question here of the right of an existing person. Here we are concerned with beings who are to be called into existence, and who could only arrive affected by a blemish. Now, existence is of itself a boon and a blessing, and while the malady which accompanies it in the present instance certainly diminishes its value, it does not suppress it altogether. At the same time—and here we get the point of view of the race in general—the primordial end of the institution of matrimony is the propagation of human beings, and not of monsters or of degenerates. This being so, the defects which would be transmitted might attain to such a degree of gravity that ethics would disapprove of the marriage for this reason'' (''Eugenics,'' New York City). And Father Thomas Slater, S.J.: ''His [the moral theologian's] science discourages

the marriage of the unfit. If a man is incapable of looking after and providing for a family, he should not marry. If he does marry, he undertakes obligations which he cannot fulfill'' (''Questions of Moral Theology,'' New York City).

Marriage is essentially a social matter. It should not be judged merely from an individual point of view. The welfare of all involved must be duly considered. He who thinks only of himself when entering into this solemn state, acts in a selfish manner and deserves severe condemnation. He who is not able to live up to the duties which married life imposes, does wrong to marry. Nor has anyone a right to give existence to beings whom he is not in a condition properly to support, and who inevitably will become a burden to the community. Moral Theology knows nothing of an absolute right to marry. The right to marry is dependent upon fitness for the married life and ability to fulfill the duties of the married state. Where the prospects are that an individual cannot live up to these duties, reason and charity counsel, if they do not dictate, abstention. Due consideration for posterity seems to demand that those who can bring into the world only diseased and defective progeny, should forego their right to marry. If Moral Theology hesitates to bar them absolutely, that is because such a prohibition imposes great hardship and presupposes a degree of heroism that cannot be expected of the average man and

woman. Besides, it is questionable whether such a prohibition would be obeyed. To prevent greater evil, Moral Theology shrinks from imposing celibacy on any one; still, it discountenances the marriage of the unfit, and urges them to refrain from an act that will in all likelihood result in much misery and human degradation.

Others speak more emphatically. Thus, Father J. B. Schwab, D.D.: "In view of these awful facts, must it not be branded as iniquitous, when an alcoholic contracts a marriage? Is it not a criminal lack of foresight, when a young woman enters married life with an habitual drunkard? Is it not manifest that marriages of feebleminded persons should under all circumstances be prevented? Is it not a crime to marry when the offspring to be expected will at least in part be mentally defective and become a burden to the community or perhaps worse?" ("Eheschliessung und Eheleben," Donauwörth). Likewise Dr. Colvin, President of St. Luke's Catholic Medical Guild: "Ten years ago, in a discussion in *The Lancet* whether a young man who was a confirmed epileptic should be castrated before marriage, I ventured to state the Catholic view. I said that every Catholic would condemn castration or any mutilation of the human body, but that Catholics would advise a young man with incurable recurring epileptiform fits not to marry for his own sake, for the sake of his future wife, and for the sake of his offspring" ("Catholics and the Right to Marry," in *The Tablet,* 1920).

Mental defectives of the lowest grade can hardly be said to constitute a serious problem from the moral point of view. Rising very little

above the mentality of a mere animal, they cannot shape their own lives, but must have their existence planned and laid out for them by others. No injustice is done to them if they are debarred from married life. Not being capable of a truly human act, they are disqualified from entering into the married state, since they have no adequate concept of the nature of the marriage contract. They will have to be placed in appropriate institutions or kept under rigid surveillance. Such a sheltered life is the best solution of the difficulty both for them and the community. If they were permitted to marry, they would only bring misery upon themselves and their offspring, and become a social burden. The community must protect them against themselves, since they are utterly devoid of any foresight and totally destitute of any sense of responsibility. Paternalistic treatment of this kind cannot be regarded as an undue hardship in their case, and is patently the best thing for all concerned.

"The most advanced present-day ideas with regard to the handling of the feebleminded seem, at first thought, astoundingly at variance with the views of ten or fifteen years ago. It seems to be fairly well demonstrated, from study of cases of feeblemindedness paroled from the best type of institutions for the feebleminded, that many feebleminded individuals may well be returned to the environment, from an institution, after the institution has carried them past the period of adolescence. Such cases may earn an honest living, behave in a law-abiding

fashion; and (the important fact from the point of view of the eugenist) these cases marry less frequently than would ordinarily be the case, and usually lead a life which is sexually moral. Moreover, it appears that defectives trained in the public schools in special classes, and guided and guarded, vocationally and socially, into adult life, may also lead a law-abiding existence, and often be prevented from either marriage or sexual immorality. It is such a supervised life in the community, rather than isolation from the community, which is being advocated at present as the most wise method of dealing with the great majority of the mentally inadequate'' (S. L. and L. C. Pressey, ''Mental Abnormality and Deficiency,'' New York City). Cfr. also John Jay Gough, ''A Program of Treatment for the Feebleminded,'' in *The Catholic Charities Review* (May, 1926).

The higher-grade defectives present a much more difficult problem. Possessing to a limited degree the ability of making a rational disposition of their lives, it would involve an injustice if an unwarranted attempt were made to interfere with their choice and to impose upon them a certain mode of living. Within limits, they have the right to self-expression which their fellow-men must respect. As long as it does not conflict with the rights of others, they are entitled to lead their own lives in the way they choose. Here the only thing that seems permissible is moral persuasion. They should be strongly urged to refrain from marrying, because there is but little prospect that they can decently support a family, and still less

likelihood that they will be in a condition to raise children properly.

"As to eugenic education, it has been shown to be possible to make a high-grade defective understand that he should not marry or have children, but in general it seems rather hazardous to expect much from this part of the program so far as the feebleminded themselves are concerned. On the other hand, it may serve as a valuable warning to the rest of the community and be the means of averting many a tragedy" (S. A. Queen, Ph.D., and Delbert Martin Mann, A.M., "Social Pathology," New York City). The extent to which the high-grade defectives may shoulder the tasks of life is described by Mr. Gough: "The moron, however, is different. With a mental age averaging from seven to twelve years, he is capable of some social adjustment, and with proper training and assistance, may take his place in society and become a useful member thereof. . . . This new concept of the mental defectives shows that they can be taught and rendered peaceful citizens. Our trouble was a misunderstanding of them. We accepted them as normal, treated them as normal, and expected them to react as normal. We placed on them the burdens of an intelligent person, and thus created an environment that made them burdens to society. With this new understanding our problem becomes a lighter one. With our schools to discover and register these defective individuals, our special classes to train them, our extra-institutional farms and colonies to fit them for a place in community life, and our custodial institutional care for the delinquent defectives and those intellectually unfitted to live in normal surroundings, we have established a most practical and workable program for dealing with the mental defectives" (*loc. cit.*).

Moral Restraint versus Legislation

We do hold that those who know that they will transmit grave diseases or serious mental defects to their offspring, should in the interests of posterity and human society abstain from marriage. The prospect of bringing into the world progeny which is seriously handicapped in the battle of life, and which perhaps is little more than a caricature of the normal human type, ought to exert a strongly restraining influence. It should deter them from taking a step that leads to so much misery and to such awful degradation. This thought must be impressed on them again and again, until they grasp it with all its implications. It is calculated to overrule all selfish considerations and to set aside every idea of abstract right.

"No one may, for the sake of his personal interest or for the satisfaction of a personal sentiment, impose a charge upon others or create a peril for them. . . . Those therefore who, in bringing children into the world, would have the certain prospect of making them a charge upon institutions of hospitalization, or of creating for others a new source of contagion or of grave disorders, with no likelihood of compensation or remedy, would be morally bound in principle and apart from exceptional circumstances to abstain from marriage" (Father Valère Fallon, *op. cit.*).

It is quite another question, however, whether this moral obligation should be enforced by legislation. On the whole, we think that this is not

advisable. The matter is by its very nature not well adapted to legal interference. Moreover, laws bearing on the subject are likely to be evaded, and might give rise to many abuses. It seems better to leave this matter to the individual conscience and to an enlightened public opinion. Moral restraint is more flexible than legal coercion, and can more easily adapt itself to individual circumstances.[1] Let no one say that moral restraint is not effective. The fact is that laws without public opinion behind them are practically useless, whereas public opinion even without any legal sanction is an almost irresistible power that very few will dare to defy.

Modern man expects everything from the State and from legislation. Still, there are ever so many things which government and law cannot reach. Among these are getting married and being born. These things were before there was a State, and the wisest policy of the government at present will be to interfere with them as little as possible. They are managed much better by other agencies. G. K. Chesterton remarks shrewdly: "The huge fundamental function upon which all anthropology turns, that of sex and childbirth, has never

[1] "But whatever may be said concerning the theoretical principle, legal prohibitions motived by health or morality in matrimonial matters give rise to so many difficulties and to so many frauds that one could not set too much store by their results" (Father Fallon, *op. cit.*). "Restrictive marriage laws which enter into the program of most eugenists may have a general social value, but it seems unlikely that they would make much difference to the mentally irresponsible, many of whose matings are outside of wedlock anyway" (Queen and Mann, *op. cit.*).

been inside the political state, but always outside it. The State concerned itself with the trivial question of killing people, but wisely left alone the whole business of getting them born. . . . I will not deal here in any detail with the fact that some eugenics have in our time made the maniacal answer that the police ought to control marriage and birth as they control labor and death. . . . But if it be conceded that they do mostly desire marriage to remain free from government, it does not follow that they desire it to remain free from everything. If man does not control the marriage market by law, is it controlled at all? Surely the answer is broadly that man does not control the marriage market by law, but that woman does control it by sympathy and prejudice. There was until lately a law forbidding a man to marry his deceased wife's sister; yet the thing happened constantly. There was no law forbidding a man to marry his deceased wife's scullery-maid; yet it did not happen nearly so often. It did not happen because the marriage market is managed in the spirit and by the authority of women; and women are conservative where classes are concerned. It is the same with that system of exclusiveness by which ladies have so often contrived to prevent the marriages that they did not want, and even sometimes to procure those that they did. There is no need of the broad arrow and the fleur-de-lis, the turnkey's chains or the hangman's halter. You need not strangle a man if you can silence him. The branded shoulder is less effective and final than the cold shoulder; and you need not trouble to lock a man in when you can lock him out'' (''What's Wrong with the World,'' New York City). Which means that it is better to leave the marriage question to a well-informed public opinion.

In this matter we find ourselves in substantial agreement with authors who in practically every other respect are our direct antipodes. Thus, Dr. Havelock Ellis, to whom our opposition is deep, fundamental and uncompromising, writes ("Studies in the Psychology of Sex," Philadelphia): "But it is quite another matter when the attempt is made to regulate such an institution as marriage by law. . . . The question is necessarily an individual question, and it can only be decided when all the circumstances of the individual case have been fairly passed in review. . . . That, however, is only one-half of the folly committed by those who would select the candidates for matrimony by statute. Let us suppose—as is not indeed easy to suppose—that a community will meekly accept the abstract prohibitions of the statute book, and quietly go home again when the registrar of marriages informs them that they are shut out from legal matrimony by the new table of prohibited degrees. An explicit prohibition to procreate within marriage is an implicit permission to procreate outside marriage. Thus, the undesirable procreation, instead of being carried out under the least dangerous conditions, is carried out under the most dangerous conditions, and the net result of the community is not a gain but a loss. What seems usually to happen in the presence of a formal legislative prohibition against the marriage of a particular class, is a

combination of various evils. In part the law becomes a dead letter, in part it is evaded by skill and fraud, in part it is obeyed to give rise to worse evils."

Dr. Ellis adds by way of illustration: "If we remember that the Catholic Church was occupied for more than a thousand years in the attempt to impose the prohibition of marriage on its priesthood—an educated and trained body of men, who had every spiritual and worldly motive to accept the prohibition, and were, moreover, brought up to regard asceticism as the best ideal in life—we may realize how absurd it is to attempt to gain the same end by mere casual prohibitions issued to untrained people with no motives to obey such prohibitions, and no ideals of celibacy." The Church like no other institution knows the psychology of man and the futility of mere external legislative regulation of human conduct.

The eugenist, like most modern reformers, is sadly smitten with a fatal myopia that prevents him from seeing the complexity of life and understanding the intricacies of human nature. This nearsightedness blinds him to everything but his own pet measure, and makes him overlook everything else. The eugenist, who fondly imagines that he is a realist in the good sense, actually knows nothing of human psychology and accordingly ignores numerous vital factors, which, though ignored, will persist in asserting themselves and will completely upset his beautifully planned schemes. Of such abstract schemes Dr.

Edward Cary Hayes says: "The bane of social agitation is particularism, which sees the importance of one factor in human welfare to the partial exclusion of the others. In sociology nothing is all-important, because many things are all-important; that is, here as in every organic correlation of realities, the ruin of one may ruin all, and by the same token the presence of all is essential to the worth of any. Eugenics, the securing of well-born citizens, is one of the many all-important factors in the fulfillment of social aims."[2]

[2] "Introduction to the Study of Sociology" (New York City).

CHAPTER XII

EUGENICAL EDUCATION

Thoughtful persons are of opinion that legislative measures can do but little for racial improvement. In a question that bears so intimately upon personal affairs men naturally resent legislative interference. As long as this resentful attitude prevails, legislation will be futile, and will only make matters worse. At present race-betterment can be brought about by no other agency than education. The saner and more respectable portion of the eugenists agree to this proposition, and consequently minimize the importance of legislation, and stress the necessity of eugenical education. Their immediate purpose is to arouse a eugenical conscience—that is, a sense of responsibility towards posterity. Thus, Dr. Edward Cary Hayes writes ("Introduction to the Study of Psychology" New York City): "The chief social agency for the promotion of eugenics is education and the development of a eugenic morality. Upon this depends the passage and effectiveness of laws upon this subject. And upon it depends the intelligent self-control of those who

are a law unto themselves. The control of the wards of the State may do much to diminish the prevalence of unfit births, but education resulting in morality is the chief means for increasing the proportion of the fittest births. Among well-instructed and highminded persons who can transmit good blood, and who are so situated that they can afford to give their children good nurture, the realization should be made to prevail that parenthood is the highest and the most sacred of all duties and of all privileges, the greatest of all opportunities for social service. Not, however, that we want an increase of the number of children born, but rather that we want an increase of the number of children born in families where they are both well born and properly nurtured."

In another passage of the same book the author says: "Tremendous as is the importance of reducing the number of degenerates, it is still more important to secure the presence of a large number of the well born and the well reared. Family stock that shows a high level of talent and fitness for participation in civilized life, is inestimably precious and should not allow itself to become extinct. Genius is unpredictable and non-hereditary, but talent runs in families, unless it is crossed out by improper matings. The loss of a few score from the hundreds of thousands who dwelt in Greece would have impoverished that nation, and the whole world would have been immeasurably poorer. Progress still depends much upon genius and very much upon talent, and talent in many citizens. So also does the maintenance of a high level once attained in govern-

ment, in industry, and in culture.'' Prof. Leonard T. Hobhouse concurs in this view, as the following passage proves: ''The actual progress of humanity depends far more on the survival of the best than on the elimination of the worst'' (''Social Evolution and Political Theory,'' New York City).

On the whole, the Catholic moralist can endorse this passage, though he might wish to modify it in some parts. Improvident procreation that is merely prompted by sensual passion and that knows nothing of the restraints of reason, cannot be regarded as a particular virtue. Married people must think of the fate of the children to whom they give existence, and in the interest of their offspring learn to restrain their passions. Though Christian morality sternly sets its face against any form of birth-control, it on the other hand very emphatically insists on the necessity of self-control. From such control of their sexual passion married people cannot be dispensed.

Not on legislation must we pin our faith, but on enlightenment and education. Tersely does Dr. Arthur James Todd sum up the situation (''Theories of Social Progress,'' New York City): ''The wiser among the eugenists reject utterly all notions of external compulsion. They decline, as somebody recently put it, to 'conjugate biology in the imperative mood,' and appeal only to educated public opinion for the realization of their ideals. Galton saw this clearly. One of his disciples,

Havelock Ellis, is of the same mind. He recognizes the futility of mere legislation in the elevation of the race, and believes that the hope of the future lies in rendering eugenics a part of religion. Health certificates as a preliminary to marriage, and segregation or sterilization of the unfit, he considers, may be excellent when wisely applied, mischievous and ridiculous in the hands of fanatics."

Of course, mere "eugenic scolding," as Dr. Todd rightly remarks, will be of no avail. But, when religious motives stand behind these eugenical counsels, the situation takes on a different complexion. Eugenical morality, as all morality, remains inefficacious without religious sanction, but with such sanction it can become a potent factor in procuring race improvement. Unsupported by religious motives, eugenical counsels mean nothing, as experience proves but too plainly. But, when they are reinforced by religious motives, eugenical counsels will not be nugatory. That is what Dr. John M. Cooper means when he says: "That the more prosperous and educated and gifted groups will hearken to the exhortations of the eugenist and contraceptionist to beget their kind to their reasonable capacity, is so improbable that we may safely dismiss the exhortation back to the land of dreams and wishes which gave it birth. . . . Contraceptionists and those eugenists who counsel contraception, advocate the inculcation of a high sense of social and national and racial altruism to bring the miracle to pass. But all this is very vague and very general. It is a hope or a shadow of a hope, a gossamer velleity, and nothing more. The investigator will search in vain in the teeming birth-control and eugenic litera-

ture for anything like practical, practicable, and concrete ways and means that offer any ray of promise that such hope and velleity has even a fighting chance of ever being realized'' (''Birth Control,'' Washington, D. C.).

Eugenical Morality

Eugenical morality is not a new type of morality, but merely a stronger emphasis on the social responsibility of marriage. To that extent it is consonant with Catholic morality, which has always put into strong relief the social aspects of marriage, and has never countenanced the idea that the contracting parties in marriage need only to consult their own selfish interests and may legitimately disregard all other considerations. The social side of marriage is one of the arguments for the indissolubility of the marriage tie. It may, therefore, be claimed that the Catholic doctrine concerning marriage is eugenical in the truest and highest sense. What Dr. Charles A. Ellwood says on the subject is largely in accord with Catholic teaching. ''It is a counsel of perfection,'' he writes (''The Reconstruction of Religion,'' New York City), ''which modern science has given us in the doctrines of eugenics; but like all such counsels it is socially valuable and is obviously closely allied with idealistic social religion. If eugenics were ever made the basis of a code of minute legislative prescriptions regarding marriage and reproduction, doubtless it would

become an intolerable tyranny. But, as the basis for social ideals regarding marriage and the birth of children, it is invaluable. Social religion, not less than eugenics, is interested in securing wise marriages and in making sure that every child is well born. Social religion, too, should emphasize the social service which parents render to society in the birth and rearing of normal children. . . . It will make the birth of children in the family welcome in proportion as there is health and strength and economic means to give them a fair start in life, and it will condemn the selfish individualism which shirks the obligations of parenthood. Finally, it will seek to create in the young a eugenic conscience which will safeguard marriage and the birth of children. Only thus can the ideals of eugenics stand any chance of realization, as Sir Francis Galton, the founder of the movement, himself recognized. Here again we see the essential identity of interest of applied social science and social religion."

Dr. Ellwood continues: "But most of all must social religion demand a complete change in our *mores* with reference to marriage and the family. Instead of regarding these as a matter of individual convenience, social religion must teach that they are social responsibilities and also opportunities for human service. The whole family life must be put upon an ethical instead of a selfish basis. Marriage itself should come to symbolize, both in the minds of the contracting parties and the community, full consecration to the service of the

race. Its basis should be, not mere fancy or passion or even romantic affection, but an unselfish love which leads to a full and free consecration of life to the promotion not only of the welfare and happiness of the parties themselves, but also of society." In this regard Catholic moral teaching cannot be said to have been delinquent. It has upheld these ideals long before sociology even dreamt of setting them forth. Earnestly has it pointed out to candidates for the married state the great responsibilities they were taking upon themselves. This it has done long before the rise of modern eugenics.

Selection in marriage should be rational—that is, reason ought to play in it a more decisive part than passion or self-interest. The choice of the partner should be dictated by prudence, and not merely by sensual attraction. Again, in deciding the time when marriage is to be contracted reason and prudence should have their voice, and not leave these vital matters merely to the urge of impetuous passion. There is nothing revolutionary in these proposals. In fact, they are old-fashioned and in absolute harmony with Catholic morality. Yet they are of high eugenical value. Marriages contracted in this manner will ensure individual happiness, and at the same time make for the betterment of the race.

Among the factors that determine the choice of a partner, physical fitness should occupy a place second only to that held by moral fitness. Men choose their mates for beauty, social prestige and wealth. They do not give sufficient attention to

the question of health. It is here where eugenical education must do its work, and teach men to look in their partners for physical fitness and untainted blood. A prudent man will see that his prospective wife and the mother of his children has a clean bill of health. A prudent woman, who does not wish to bring misery to herself and her children, will make sure that her future husband and father of her children is not cursed with some hereditary taint or affected with some loathsome disease due to youthful delinquencies. That is nothing more than ordinary common-sense. Still, how many are there who give no thought to this important point! Eugenical morality will bring home the fact that rational selection in marriage requires that the factor of health receive the recognition which is commensurate with its importance. Here again we are in harmony with immemorial Catholic traditions. Catholic teaching has always urged that those who contemplate marriage should look for sterling qualities in the partners whom they select for their journey through life, and not allow themselves to be swept off their feet by the uprush of passion. It has vindicated a place for reason in this far-reaching choice. In prohibiting marriage between certain degrees of kinship, it had in view the health of future generations. In so far the Catholic marriage practice has been eminently eugenic in its effects. Says Father Thomas J. Gerrard: "Now,

the Catholic conscience does take account of physical fitness. But it places moral fitness first. When the restraint necessary for the preservation of purity has been cultivated during childhood and youth, then the ground has been well prepared for the sound eugenical proposal of proper selection of candidates for marriage. Sir Francis Galton need not have gone to such pains to demonstrate that rational selection in marriage is possible. It is obvious. The Church promotes it, and controls it perhaps more effectually than any other organization on earth. Her long list of diriment impediments to valid matrimony, and of impediments which may be cancelled for good reasons, is evidence of this."[1]

The great enemy of rational selection in marriage is passion, which beclouds the judgment and dictates ill-advised and imprudent choices. The man or woman carried away by passion will not listen to reason, and gives no ear to eugenic warnings. But the Church more than any other institution insists on the disciplining of the passions, and thus gives reason a chance and prepares the ground for wholesome eugenics. The sexual passion is the most unruly of all, and has in the course of human history wrought untold havoc. It has scorned all restraints, and laughs at

[1] "The Church and Eugenics." There was a time when the Church had to defend its marriage legislation against the aspersions of those who felt its salutary restrictions irksome. This legislation can now be easily vindicated on eugenic grounds.

eugenical counsels. Ordinary human prudence surrenders before its fierce onslaught and proves utterly unavailing. No power can effectually curb it except religion. The eugenical value of religion thus becomes obvious. Modern sociologists fully realize this fact, and therefore appeal to religion for assistance in the efforts they make for race-improvement. As long as the sex passion remains undisciplined and uncontrolled, nothing can be achieved in the way of eugenics. It will upset the best-meant eugenical calculations, and evade whatever laws may be enacted in the interests of race uplift.

Again we may quote Father Gerrard, who writes (*op. cit.*): "Now the whole question of eugenics ultimately turns upon this point: how is the sexual appetite, that strongest of impulses implanted in human nature for the propagation of the race, to be rendered subordinate to the intelligent will? The Catholic answer to the question is a radical one. It consists in the cult of purity in all its branches, both in the marriage state and in the state of celibacy, both in religious orders and in the world." Now, the advantage which the Church enjoys in this matter is, that it possesses potent motives and inspiring examples which will offset the blandishments of the sex appetite, and arouse in men an adequate counterforce to cope with these powerful impulses. Others may speak of beautiful ideals, but they are unable to supply

a dynamic force that will carry men to these exalted heights of purity and self-restraint. This absence of a dynamic energy to help man in his struggles strikes us painfully when we read the lucubrations of modern social reformers. Their ideals are quite attractive, but they can give no power. What is the use of an ideal, if there is no power to carry it into practice? It is on that score that we find fault with Dr. Ellwood, whose social ideals are undoubtedly noble and exalted, but who is unable to give real inspiration and motive power. Speaking of the sex passion, he says (*op. cit.*): "Surely human intelligence also can make sex to serve the higher interests of the race. Science shows clearly enough how this can be done. It is by controlling sex impulses in the interest of a sane and wholesome family life. As long as repressive control was regarded as an end in itself, it was impossible for religion to take a constructive attitude toward sex. But, as soon as such control is seen to be for the sake of the family and for the service of humanity through the family, then controlled sex impulses are welcomed as a basis of family affection, and the social religious ideal becomes, not celibacy, but a pure and lasting family life. Chastity for both the married and the unmarried takes on a new meaning—a social meaning—and it is seen to be preëminently the virtue by which men and women can live together on a human plane, and it is hon-

ored as such. As a necessary social virtue, it is held to apply to both men and women equally. The whole social life is purified and ennobled, because sex is subordinated to the family, and not family life to sex. In a word, sex is made to serve the higher values of the social life instead of being merely repressed. Thus, social religion as well as social science will find in sex a potential basis for the highest social values."

We must take Dr. Ellwood to task on another count. He is mistaken when he thinks that religion took only a negative and repressive attitude towards sex life. At least, this is not true of the Church, which has always given to the sex passion its legitimate place in the scheme of things, and demanded sex suppression only for the sake of higher aims. It has never said that the sex instinct is evil in itself, and that therefore its suppression was imperative. Rightly Father Gerrard says: "The sexual appetite is regarded as a good and useful possession. Although it may easily become the occasion and the instrument of sin, yet it is not a sinful thing in itself. Prudery, which is a perversion of purity, has no place in the Catholic system of morals. . . . Under such guidance we know that the sexual appetite is for the purpose of the procreation of children. It is not for the sake of sensual pleasure" (*op. cit.*). If we bear this in mind, we can appreciate at its true value the following passage from Dr. Ellwood, and also derive some good from it. It reads: "Unscientific religion has long seen this, and for ages has attempted the control of sex impulses. But too often it has adopted a merely negative and repressive policy toward the sex element.

A scientific social religion, while aiming not less at control of this element, will adopt a positive and constructive attitude toward it. . . . Such control of sex impulses in the interest of the family will mean their control in the interest of the child and the race. Modern biology has shown the extreme importance of heredity to man; and obviously the control of heredity must come through the control of sex relations. The modern science of eugenics is as far from endorsing promiscuity in sex relations as ethical religion itself. Lax standards of sex morality would make impossible the realization of eugenic ideals. Eugenics demands that we control marriage in the interests of the race, but this in turn implies the control of all sex relations. If eugenics is ever to become practical, it can be only through the development of much higher standards of sex morality than we have yet attained. For it implies the triple control of sex in the interest of the family, the child, and the race. It implies that marriages shall be based upon the good health, good character, and the intelligence of the two stocks concerned. It implies negatively that those who are not normal in their hereditary endowments should refrain from marriage, and that those who for any reason do not marry should lead lives of continence. Finally, eugenics implies that all who are so abnormal that they cannot be controlled by the moral standards of society should be segregated in institutions and supported at public expense'' (*op. cit.*).

This is all very well, but who will make men accept such exacting ideals and pattern their lives after them? It must not be forgotten that the sex passion asserts itself with extreme vehemence and can not easily be curbed. A continent life,

whether in the married state or outside of it, puts great sacrifices on man, and who will inspire him to undergo such sacrifices? To bring this about the most powerful motives are necessary. Mere utilitarian motives, such as social science offers, possess no efficacy and break down ignominiously. Many of those who with a considerable show of authority write upon social psychology, really seem to have no insight at all into the workings of the human mind. Apparently, they are ignorant of that awful weight that drags man downwards, unless there is a sufficient counteracting force to draw him upwards. They know that in the physical world the force of gravitation with its downward pull is ubiquitous and ever active, but they seem to be unaware that there is a similar fatal force in the moral world. Dr. F. W. Förster characterizes these optimistic writers who live in an unreal world and who deal with unreal men in the following passage: "If the literature of the sexual problem be considered from these points of view, two chief groups of incompetent authors may be distinguished. First, pure and enthusiastic souls with the best of motives, who yet produce the most tragic confusion because they lack a broad knowledge of human nature; these are simple transparent characters without conflicting tendencies and without strong passions—the whole complexity and exuberance of human nature does not exist for them. Their

proposals do not reckon with flesh-and-blood men, and thus they throw us back the deeper into the lowest bondage. Their theories are all in the air, and only serve to turn us aside from any strict self-knowledge and self-discipline. Such people are therefore the most dangerous will-o'-the-wisps, and often do far more harm than those who preach open immorality."[2] No one should presume to write on these topics who in his experience has not come face to face with the dark powers with which man must battle all his life to maintain himself on a high level of purity and unselfishness.

The first requisite, then, of eugenical education is the discipline of the sex passion, for without control of this passion rational selection in marriage becomes utterly impossible.

[2] "Marriage and the Sex-Problem" (New York City).

CHAPTER XIII

THE CHURCH AND TRUE EUGENICS

That the Church in many ways has proved a great benefactor to humanity is frankly admitted by impartial students of history, who readily concede that the debt which the world owes to the Church is enormous. The Church is recognized as the patroness of arts and the mother of schools. For the economic and social betterment of the human race she has worked incessantly and with eminent success. It takes but a little reading of history to find out that, without her, civilization would have long since passed from the face of the earth. But it can also be shown that the Church is a very potent factor in racial betterment. Without having this end directly in view —for her gaze is always turned towards eternity —her action among the peoples of the earth has to a very high degree been eugenical. Under her guidance vigorous and energetic races sprang up to supplant the peoples of antiquity that had become enervated by indulgence and indolence. By fighting against excesses of every kind and by solemnly proclaiming the duty of work, she has

done incalculably much for the advancement of racial health. Here is the confession of a scientist who approaches the matter from his own special point of view: "It was in connection with the study of hygiene and proposed methods of disseminating hygienic knowledge, now some years ago, that I made what was to me a unique discovery—namely that the Catholic Church had always taught hygiene; that she went considerably further than the hygienists by constituting herself an enforcement agency; that she had a definite program of enforcement; and that she had had it for nineteen centuries, and had enforced it for nineteen centuries. She had thus anticipated the modern hygienic movement by many centuries! And this hygienic program does not satisfy itself with a short 'Hygienic Week,' parallel to our dedicatory 'Fire Prevention Week,' 'National Defense Week,' 'Savings Week,' 'Better Mailing Week,' and what not, but is a definite annual program carried out by the Church and her adherents. This program is the Liturgical Church Year, which is enacted all over the world wherever Catholics are found, under the guidance of the priesthood" (Dr. R. A. Muttkowski, "The Practical Hygiene of the Church," in *Thought,* June, 1926).

Modern hygiene gives these rules: Avoid overindulgence of the physical appetites and emotions, especially in food and drink, and in the sex relations. Restraint

of all appetites makes for physical and mental balance, and therefore health. Excess or overindulgence paves the way for disbalance, or disease. In summary, moderation, variety, and rest are the guides laid down by the hygienists and the advocates of race betterment —the eugenists—to promote mental and physical balance and health. All these requirements are set forth and urged in the hymn which the Church sings for Matins:

Utamur ergo parcius
Verbis, cibis, et potibus,
Somno, iocis, et arctius
Perstemus in custodia.

Old though this little verse is, it has a modern ring, and would unhesitatingly be endorsed by the most advanced hygienists. Bodily it could be taken over by them and transcribed into their textbooks. As a matter of fact, they have nothing better to offer. The Church's attitude towards sexual gratification is thoroughly vindicated by modern medicine. Thus, Dr. von Graber writes in his work, "Hygiene in Sex": "As far as the individual is concerned, to assume gratification of the sexual instinct to be essential to his own life is to ascribe to the act a wholly foreign purpose. We have long known that physical capacity of the highest grade is to be attained only by complete restraint from every kind of gratification of the sex instinct. This was understood by the Greek and Roman athletes, and is well recognized by our modern trainers. Moreover, the situation is the same as regards mental activity, as the experience of many scholars and professional men show. How insignificant the rôle which gratification of the sexual instinct through intercourse plays, is evidenced in that monks and nuns, in spite of the rigors of their

conditions of life, show no materially higher mortality than do their corresponding age groups among the laity. . . . Not only in connection with affairs of the sexual life, but in all points of contact with his environment a man becomes a Man, and therefore free, only when he has learned to make use of the powers of inhibition which reside in his brain. The capacity to do this characterizes cultured persons. Others remain the slaves of the moment. . . . In sexual matters as in other things, the more one restricts his pleasures, the more healthful it is. The better the health and the physical strength is guarded, just so much the more surely may healthy children, capable of withstanding the adverse conditions of life, be expected." Better than lengthy apologies, these plain statements of a physician throw into relief the eugenical activity of the Church.

If then, by her laws and practices, the Church fosters individual health and vigor, she thereby becomes a promoter of racial health, and deserves the admiration and the gratitude of the eugenists. The amusing part is, that she was thus eugenically engaged long before the world knew anything of eugenists and eugenics. After all, their proposals come somewhat late, and, if humanity really depended on them, it would have long since come to grief. It is quite plain that they are taking themselves by far too seriously, and overestimating the importance of their measures.

The Church has also made contributions of a more direct nature to the cause of racial improvement. It has been pointed out that the physical

betterment of the race depends upon rational selection in marriage, and that rational selection is ever in danger of being thwarted by uncontrolled sex passion. Now, Catholic asceticism is to a very large extent devoted to the discipline of the sex passion. The Church thus brings about among her children the most favorable conditions for rational selection, and makes it possible for them to choose their life-partners in accord with the dictates of reason, undisturbed by the sophisms of the sex urge. The Catholic who consistently practises his religion is not likely to be overwhelmed by a sudden upheaval of passion and to be rushed to a decision without having time to reflect on the consequences of his act. He chooses with a clear vision that is not distorted and obscured by the vapors which rise from the realms of the senses. He is capable of a selection that would meet with the approval of the eugenists, whereas the slave of one's passions cannot be relied upon to choose prudently, and in most cases will make a disastrous and dysgenic choice. If, in spite of this fact, young Catholic people frequently do make a choice of which reason must disapprove, it is because they have not been properly instructed in this regard owing to the negligence of their parents, who failed to realize their full responsibilities.

Well does Father Thomas J. Gerrard say: "Above all things prudence, supernatural prudence, is needed

for selection in marriage. Without prudence, the young people are carried away by their lower passions and faculties, choosing physical beauty or material wealth in preference to intellectual culture and spiritual goodness. Prudence is needed, too, in all education for parenthood. There are few duties more imperative or more widely neglected than that incumbent upon parents to assist the moral development of children by sex information reverently and yet clearly conveyed, when the young mind and will are fit for it'' (''The Church and Eugenics,'' St. Louis, Mo.).

The most valuable contribution which the Church makes to racial hygiene is its uncompromising insistence on the supremacy of the spirit. Time and again it has been demonstrated by experience that the neglect of the spiritual side of man's nature has the most baleful effect on his physical development. When man attempts to live on a mere animal level, he invariably retrogrades to lower levels of physical development. The highest plane of physical fitness can be reached only when the needs and the rights of the spiritual are duly considered and properly recognized. Cultivation of the spiritual interests of life to a marked degree enhances vitality and promotes health. The healthy spirit is an invigorating tonic for the body. Its energy overflows and inundates the region of the physical. Those who understand the composite nature of man will not be surprised to learn that the spirit is a veritable reservoir of vital resources from which the fail-

ing forces of the body may be replenished. The spiritual force in man resists the insidious influences that lead to physical disintegration. In the spirit lies an extraordinary power of recuperation, which quite frequently is capable of overcoming the germs of disease. Men whose bodily self is not reinforced by spiritual vigor more readily succumb to infection, and rarely are capable of supreme physical exertion. Deterioration and degeneracy quickly follow neglect of the spiritual. Non-spiritualistic doctrines logically pay no attention to will-culture, but nothing is more fatal to health than a weak will. By giving the spiritual a commanding place in life and thus leading to a recognition of the will and will-culture, the Church has done much to fortify mankind against the assaults of destructive diseases. In this way again the Church clearly proves herself to be a eugenical agency of the first importance.

"Modern psychotherapy and curative pedagogy show us that the secret of all self-development and all true health lies in the government by the spirit, by the centre of personality. These sciences aim at securing nervous and physical health by building up the will power and stimulating the spirit to assume its proper position of control. The idea put forward by some moderns that the restraint of sex impulse is injurious to health can best be met by an assertion of the hygienic value of severe self-control, and of the danger to health which results from a weakening of spiritual forces. Carlyle has drawn attention to the fact that in the Germanic

languages the words healthy and holy were originally identical. This is no coincidence. Unfortunately, however, this fundamental connection between healthiness and holiness has been lost sight of during the last century" (Dr. F. W. Förster, "Marriage and the Sex Problem," New York). Let us adduce also the impartial testimony of Dr. Jules Payot, who writes: "Consequently, by a sound training of our will power we can keep our health free from the weakening influences of vice and idleness. There is another factor which makes good our contention that our physical health depends upon our spiritual health. The body and the spirit are so closely bound to each other that, if there is something wrong in the mechanism, we feel uneasy and ill. If we fix our attention upon this uneasiness or pain, it becomes more pronounced. This is the case with neurasthenics, who are incapable of diverting their attention from the troubles they feel, and who finally become the slaves of these troubles. It is essential that we refuse to pay attention to such pains and distresses. . . . Without accepting all the claims of Christian Science, we should remember that an energetic soul is the master of the body which it loves" ("The Conquest of Happiness," New York City). And last, not least, Dr. James J. Walsh: "The place of the will in its influence upon health and vitality has long been recognized, not only by psychologists and those who pay special attention to problems of mental healing, but also, as a rule, by physicians and even by the general public. It is surprising to what an extent the will may affect the body, even under circumstances where it would seem impossible that physical factors could any longer have any serious influence. We often hear it said that certain people are living on their wills, and, when they are of the kind who take comparatively little food and yet suc-

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ceed in accomplishing a great deal of work, the truth of the expression comes home to us rather strikingly'' (''Health Through Will Power,'' Boston).

Slowly eugenists are beginning to recognize the importance of the spiritual factor and to discover that the spiritual is indispensable for normal human development. Professor Whetham declares frankly: ''But without religion and without morals there is apparently no possibility of existence for the human race. . . . Thus, it becomes certain, not only that religion is a definite biological factor in the social economy, but that its value is probably supreme, and that some form of religious development is an absolute necessity for the successful evolution of human society.''[1] Hence, we can safely say that, where spirituality and morality are cultivated as is done under the auspices of the Church, degeneracy can never become widespread, since there is a fundamental harmony between moral and biological law.[2] Spirituality in the individual as well as in the race counteracts the forces of dissolution and halts corruption.

Racial Poisons

Perhaps the two most terrible scourges of humanity are alcoholism and venereal disease.

[1] ''An Introduction to Eugenics'' (Cambridge).

[2] ''There is no fundamental antagonism between biology and morality; moral laws are the enunciation of the higher laws of biology'' (J. A. Hadfield, ''Psychology and Morals,'' New York City).

The misery they have brought on men beggars description. They are closely allied with the phenomena of degeneration. Alcohol and venereal infection have slain thousands, and reduced other thousands to a deplorable condition.

"Unfortunately, the effects of habitually excessive use of alcohol do not stop with the drinker himself. His children are the most immediate sufferers. Whether, however, their troubles are due primarily to germinal impairment and fœtal injury or to improper care during infancy and early childhood, is not easy to tell. At least they do not inherit a direct alcoholic tendency, though they do frequently exhibit poor nutrition and poorly developed nervous systems. Moreover, they are notoriously the victims of neglect and abuse. But the children do not suffer as individuals; the whole fabric of family life is endangered by the excessive alcoholism of either parent" (S. A. Queen and D. M. Mann, "Social Pathology," New York City).

The war against these twin scourges is truly a holy crusade, and should be waged with unremitting zeal. In speaking of eugenics it is impossible to omit a reference to them, for, as long as alcoholism and venereal disease are rampant, the sources of life will be poisoned, and there can be little hope of racial improvement.

"There are sights in a certain midwestern institution that sicken and sadden. In one room is a human being hardly distinguishable from a four-footed beast. He crawls about, a misshapen and horrible thing; tears his food; treats anything given him as one utterly lacking

in rationality. His head is twisted and thrown back in an indescribable manner. As the poor creature vacantly stares at the onlooker, his struggles at speech are pitiable, and result in nothing but mere sputterings. In other rooms of the same institution there are mere shells of what once were men, with eyes half rotted out, noses eaten away, and minds blank. There too is a young woman not long since a happy bride, now a wild-eyed idiot. With a pull at the heart one leaves the institution, convinced of the horribleness of the venereal diseases, the source of so much misery'' (Frank Cavanaugh, ''A Booklet and a Law,'' in *The Catholic Charities Review,* April, 1925). ''Fournier, one of the leading authorities on this subject, has well said that syphilis, alcoholism and tuberculosis are the three modern plagues. There is no more subtle poison than that of syphilis. The immense importance of syphilis lies in the fact that its results are not confined to the individual himself, nor even to the persons to whom he may impart it by contagion due to contact in or out of sexual relationships; it affects the offspring, and it affects the power to produce offspring. It attacks men and women at the center of life, as the progenitors of the coming race, inflicting either sterility or the tendency to aborted and diseased products of conception. Thus, syphilis is probably a main cause of the enfeeblement of the race. Alike in the individual and in his offspring syphilis shows its deteriorating effects on all the structures of the body, but especially on the brain and the nervous system'' (Havelock Ellis, ''Studies in the Psychology of Sex,'' Philadelphia).

Though we are not certain of the manner in which they operate, it is well established that alcoholism and venereal disease are dysgenic

agencies. A really comprehensive eugenical program, therefore, must include ways and means by which they can be effectively combated. Now, the most efficacious means to fight these two curses of mankind are the virtues of temperance and chastity. By encouraging these virtues, the Church again renders an important contribution to the cause of race improvement. If these virtues were consistently and universally practised, the above-mentioned dread racial poisons would within a reasonable period of time be completely eliminated. Venereal disease is usually contracted by extra-matrimonial sexual intercourse. Hence, the old-fashioned virtue of chastity provides the best safeguard against it. In a community in which continence is held in high esteem, it could be easily controlled and speedily reduced to insignificant proportions, if not entirely stamped out. It goes without saying, then, that the labors of the Church in behalf of temperance and chastity rebound to the benefit of the race and help to free it from two of the most devastating plagues.

"That syphilis has been, and is, one of the chief causes of physical degeneration in England cannot be denied, and it is a fact that is acknowledged on all sides. To grapple with the treatment of syphilis among the civil population of England ought to be the chief object of those interested in that most burning question, the physical degeneration of our race" (Dr. Lambkin in

British Medical Journal, August, 1905). In answering the question, "Where Mental Defectives Come From," the joint authors of "Social Pathology," say: "A fourth theory and one deserving of careful consideration has been presented by Tredgold. It is to the effect that feeblemindedness may be traced most frequently to an impairment of the germplasm, which is in turn due to some action of the environment. These pathological germinal variations, as he calls them, may be due to ancestral alcoholism, tuberculosis, syphilis and other similar causes." Similarly Drs. S. L. and L. C. Pressey: "Early notions of control of mental disease, chiefly by eugenic measures, are also being modified. In the first place, such factors as alcohol and syphilis clearly operate to produce a great number of abnormal mental conditions; further, syphilis and alcohol present problems involving not merely mental disease but much more besides, and, the important point here, alcohol and syphilis appear much more possible of control than heredity" ("Mental Abnormality and Deficiency," New York City). "Of these known causes of hereditary defect, by far the most productive of evils are alcoholism and venereal disease. These two poisons so pervade the organism as to impair the germ cells that reside in the body of one who may later become a parent, so as to inhibit the normal development of offspring. Dr. Price A. Morrow estimates that the elimination of venereal diseases would probably mean the elimination of at least one-half of our institutions for defectives. If this estimate were cut down one-half, it would still be appalling. In the opinion of competent judges, social diseases constitute the most powerful of all factors in the degeneration and the depopulation of the world. They merit their title of the great black plague" (Dr. E. C. Hayes, "Introduction to the Study of Sociology,"

New York City). If these statements reflect the truth, it is again borne in on us forcibly that eugenics one-sidedly and disproportionately stresses the factor of heredity as a cause of degeneracy, as we have all along been contending.

It is not the Church but the world that has established the double standard in sex morality. The Church regards violations of the sixth commandment with the same sternness whether they be committed by the one sex or the other. It demands absolute continence in the unmarried, irrespective of sex. It was, however, this double standard tacitly accepted by the world that contributed to the dissemination of venereal disease, and eventually introduced the foul pollution into the sanctuary of the home. It was through the operation of this double standard attitude that so many innocent victims were infected. For it thus came about that parents would not hesitate to give their daughters in marriage to men of loose sex habits. If we are guided by Catholic instincts, we will be equally exacting as far as the requirements for marriage are concerned, whether there is question of man or woman. In both cases, we expect a pure and clean life. No young girl should think of marrying a young man whose antecedents are doubtful, whatever may be his social standing or his financial rating. A clean and uncontaminated body is better than social prestige or wealth. Parents not unfrequently are willing to

overlook the indiscretions of a young man, if he is sufficiently endowed with worldly goods or belongs to a family whose name is listed in the social register. Such ill-advised tolerance has plunged many an unfortunate woman into the greatest misery, because young men who have had extra-matrimonial sex experience have thereby exposed themselves to the danger of infection, and not rarely have actually contracted disease. A clean youth, on the other hand, is as good as a health certificate. Hence, if our young girls and their parents are taught to judge the morals of young men by the traditional rigorous standard of the Church, the danger of a pollution of the family becomes very remote. A young man whose habits of life are known to be clean and irreproachable, may reasonably be trusted to be free from infection. Such a young man is not likely to infect his wife and poison the blood of his offspring. The double standard works dysgenically. The Church, therefore, in condemning the double standard is on the side of race preservation and race purity.

"The superstition of prenatal influence and the real effects of venereal disease, dire as they are, lie outside the pale of eugenics in its strictest sense. But no lover of his race can view with complaisance the ravages of these diseases nor fail to raise his voice in warning against them. The parasite that induces syphilis is not only hard to kill, but it frequently works extensive

damage to heart, arteries and brain, and may be conveyed from the infected parent to the unborn child. Gonorrhea, like syphilis, is a parasitic disease that is commonly contracted during illicit sexual intercourse. Conveyed by an infected man to his wife, it frequently causes her to become sterile. Venereal diseases are dysgenic agents of the first magnitude and of growing importance. The danger of acquiring them should be known to all young men. Society might well demand that, before a marriage license is issued, the man should present a certificate, from a reputable physician, of freedom from them. Fortunately, nature protects most of the best blood from these diseases; for the acts that lead to them are repugnant to strictly normal persons; and the soberminded young women who have had a fair opportunity to make a selection of a consort are not attracted by the kind of men who are most prone to sex immorality" (C. B. Davenport, "Heredity in Relation to Eugenics," New York City). The concluding remark of the author unfortunately is too optimistic. Young women, as well as worldly-wise parents, are but too prone to condone sexual laxity in young men, especially if it is accompanied by agreeable social manners or social distinction. They must be educated to take these matters more seriously, and to apply to them the uncompromising and rigorous teaching of the Church. The following passage reflects very little optimism: "A simple country girl had married a confirmed rake, who at the time of the marriage was suffering from a venereal disease in a virulent stage. The man, principally because of his health, was in no position to support either a wife or himself. As might be expected, destitution soon visited the couple, and then they came to a charity office. This is too often the unhappy effect of such unfortunate unions, with the result that many are won-

dering whether or not these marriages should be tolerated. The evil would be less intolerable should diseased men seek as mates those tainted as they themselves are. But, generally speaking, men who have been incontinent for years, when contemplating marriage, seek an unspotted virgin instead of one of their own kind. And the sad thing is that frequently such men get the girls they seek, for they are, through experience, masters at winning the affections of women'' (F. Cavanaugh, *loc. cit.*). Here then, much remains to be done by way of enlightenment and instruction in order that innocent girls may not become the prey of dissolute and unscrupulous men. And this education must extend to parents also.

Young women cannot be warned too emphatically against marrying habitual alcoholics. Their own personal interests and the interests of society discountenance such unions, which as a rule are prolific sources of unhappiness and degeneracy. Dr. J. Elliot Ross, C.S.P., offers very sound advice when he writes as follows: "Marriage is a serious step, and it is fraught with such far-reaching consequences to the individuals and to society at large that it should not be entered upon hastily. Nor should it be recommended as a panacea for all sorts of moral failings. It is a dangerous mistake to assume that the grace of matrimony will, by its mere reception, change the frivolous or the debauched into paragons of virtue. There can be no sounder advice given to a woman than not to marry a man in order to reform him. A Jesuit

who had been a rector of their scholasticate once remarked that his thirty-five years in the Society had taught him that, as a man entered the noviciate, so he died. If that be true of men who go through the wonderful training of St. Ignatius of Loyola, much more true is it of those who marry. The chances are that a man who is a drunkard or impure before marriage will be a drunkard or impure afterwards.''[3]

[3] ''Christian Ethics'' (New York City).

CHAPTER XIV

EUGENICS IN THE CHRISTIAN SENSE

In the matter of eugenics everything depends on the spirit in which the movement is conceived and on the means that are adopted by its sponsors. According to the animating spirit and the character of the means employed, eugenics will either be a noble and commendable thing or a thing inutterably vile and loathsome. The improper kind of eugenics leads to revolting outrages on human dignity, to tyrannical oppression, to degrading abuses, to a desecration of marriage, and to a general sapping of sexual morality. This type of eugenics cannot be condemned too harshly, and would ultimately spell disaster for the race.[1] Unfortunately, it is this type that has the most blatant advocates, who manage to disguise the vileness of their abominable schemes by clever appeals to maudlin sentiment by which many are deceived, the modern confusion of ethical thought

[1] "Was it not Chesterton who said of eugenics: 'It stinks'? By these words he burned an eternal brand of infamy on the unsavory science" (M. J. Riordan, "Agenics," New York City). Chesterton's language is strong, but none too strong for that brand of eugenics that enlists in its service birth-control and other immoral practices.

rendering great numbers incapable of detecting the flaws in their arguments. It has been made abundantly plain that Christians can have nothing to do with reckless measures of this kind. Yet, on the other hand, Christians will yield to no one in generous coöperation and intelligent service where really something can and ought to be done for society and humanity. They will sincerely work for the elimination of the racial poisons introduced into the veins of the race by sin and vice; they have a high esteem for such virtues as temperance and chastity, which make for spiritual as well as bodily health and, hence, possess considerable eugenical value; they cultivate self-abnegation and self-restraint, habits that produce a sturdy and vigorous race;[2] they assert the sanctity of marriage, and protect its integrity against the dissolving influences of our times; they resist the subtle attempts of passion to dissociate marriage from its sacred duties and to convert it into an instrument of sensual indulgence; they surround the contracting of marriage with many safeguards, and try to prevent hasty and thoughtless unions that usually end in misery

[2] "History shows no nation that has long remained great under a pleasure economy. A pain economy knows the hard and shriveled virtues of necessity; a pleasure economy dissolves in gross vices or in an equally selfish dilettantism. Only a duty economy, in which men who stand in the light and are ruled by the law of liberty choose loyalty to the whole, of which the individual and his brief day are but a part, can know the worth of life or bring its possibilities to fulfillment" (Dr. E. C. Hayes, "Introduction to the Study of Sociology," New York City).

or in divorce; they inculcate a profound sense of duty towards society and towards the race; they impress parents with their responsibility towards their offspring and towards one another. All this constitutes a contribution to eugenics of truly incalculable value.

"Moral teaching condemns any procedure which consists in the use of the marital relation in such a way as voluntarily to frustrate its effect. Consequently, ethics prescribes either the normal use of marriage, or else continence. It allows no middle course. It says: If you are not able to fulfill the duties and undertake in a suitable manner the charges of marriage, remain continent. It says to married people: Make use of marriage with moderation. Have a regard for the conditions of health of each other, and for the well-being of those who will be born of you. There is also a continence which must be practiced in the married state. But moral teaching also says: Look upon life with a manly and courageous heart. Do not shun the charges of paternity, unless it be for higher motives and for the sake of greater self-sacrifice. Do not listen to the counsels of egoism and cowardice. The law of life is to give oneself to others. The law of life also means work and sacrifice. A comfortable life and a healthy one are not synonymous. Nor are an easy one and the strength of the race. A race even degenerates if ease relaxes its energies" (V. Fallon, S.J., "Eugenics," New York City).

As Christian eugenics we may designate that movement for race-betterment which in all its aims and measures scrupulously respects the law

of God. Christian eugenics has a right sense of values, and duly subordinates the material to the spiritual. It does not attempt to take over the rôle of Divine Providence, to produce a race of supermen and to remake the world in an arbitrary fashion.[3] It even assigns to eugenics a secondary place, fully realizing that our first purpose on earth is moral growth. It does not regard disease as an unmixed evil that must be eliminated at any cost, but rather holds that suffering can be made a helpful factor in the upbuilding of a vigorous race. It respects life, and looks upon it as a precious gift of God. It does not tamper with the creative designs of the Creator. Whatever it does for the improvement of the race, it does through the family, that hallowed agency which the Author of the human race Himself has instituted for this purpose. Any kind of illegitimate interference with marriage and the family it abhors, not only as contrary to the holy will of God, but also as ultimately harmful to humanity.

"Christian marriage gives the best conditions for eugenics from every point of view. It must be Christian

[3] "The religion of evolution deals with this world rather than with the next. It prays 'Thy kingdom come, thy will be done on earth.' It seeks to build here and now the City of God. . . . To us it is given to coöperate in this greatest work of all time and to have a part in the triumphs of future ages, not merely by improving the conditions of individual life and development and education, but much more by improving the ideals of society and by breeding a better race of men who will 'mold things nearer to the heart's desire'" (Prof. E. G. Conklin, "The Direction of Human Evolution," New York City). The Christian looks beyond this life; his horizon is not circumscribed by time.

marriage, however, and not a mere mockery. The Christian end of marriage implies that those who enter into the married state are qualified to reproduce healthy children, that they have Christian forbearance for each other's shortcomings, that they are chaste and have Christian self-control, and that they have a due appreciation of the duties and responsibilities which go with the married state" (Dr. Lawrence F. Flick, "Eugenics," Philadelphia).

Christian eugenics makes use of both natural and supernatural means. It sanctifies life at its source, and afterwards endeavors to keep the stream clean and undefiled. It is not narrow and onesided, but employs every means that will assist man in his struggle for moral, mental and physical health. It is more potent than natural eugenics, because it has higher ideals, more inspiring motives and more effective sanctions.

"In the same order of ideas, eugenics will include in its programme the fight against all the enemies of the family: excessive labor on the part of women and children, the abuse of feminism which takes away a woman from her office of wife and mother, infectious diseases, social poisons, bad housing, and immorality in all its forms. It will favor moral education, and will take great care not to weaken the sovereign help which religious convictions bring to it" (V. Fallon, *loc. cit.*). Religion as a eugenical factor of prime importance is stressed by Dr. Lenz: "If parents from inner conviction can give their children a genuinely religious training, that is from the point of view of race hygiene a matter of the highest value. The anchoring of the soul in the

eternal and the divine imparts incomparable strength in all the vicissitudes of life" ("Grundriss der menschlichen Erblichkeitslehre und Rassenhygiene").

Christian eugenics detests particularly that awful practice which thwarts the plans of nature and nature's God in frustrating the purpose of marriage. Foolish are those who imagine that an improvement of the race and a higher type of humanity can be brought about by birth-control. This is perhaps the greatest eugenical heresy that has ever been put forth by ill-advised advocates of race improvement.

"It is certainly important to improve the race, but it is still more urgent to perpetuate the race, and to make sure that tomorrow we shall have the material to work upon. In other words, Ethics condemns Neo-malthusianism also from the social point of view; for in its practice there is a fatal abuse which results in a depravation of morals in societies which allow it, and even destines them to disappearance. If the deplorable progress of Neo-malthusianism continues much longer, eugenics will soon be without an object; for it would be superfluous to concern oneself about the amelioration of a race which was hurrying to suicide. The eugenical movement, then, if it wishes to succeed, must take up the fight against Neo-malthusianism" (V. Fallon, *loc. cit.*). Birth-control is sometimes attributed to economic pressure, and defended by the necessity of keeping up a decent standard of living. This is another modern sophism, for it is largely practised by those who experience no economic pressure and who enjoy every luxury. Not economic pressure, but love of ease, usually

is the motive behind this unnatural practice. Thus, Dr. Lenz writes: "Even more destructive racially than the custom of late marriages is the adverse selection resulting from deliberate birth prevention, which practically is the chief cause of the sinking birthrate. In this regard economic need is not always the deciding motive. On the contrary, the size of the family stands in inverse ratio to its economic prosperity" (*op. cit.*).

Individual and Public Hygiene

Though not the highest good, health is nevertheless a precious thing which we should try to secure for ourselves and others. When contracting marriage, Christian men and women will see to it that they are in a condition to transmit a sound body to their offspring. There are those who say that a marriage license should be issued to those only who can produce a certificate of good health. Others do not favor such a compulsory medical certificate.

"Insistence upon freedom from communicable disease before a marriage license will be issued, stands upon a different basis. The fact of certain diseases being communicated to others has been established beyond a doubt, and the State has a right to protect those who could be protected in no other way" (Dr. J. Elliot Ross, C.S.P., "Christian Ethics," New York City). "Wisconsin makes a medical examination before marriage obligatory for all men. . . . As might be expected, numerous have been the objections made to the Wisconsin statute. But the arguments urged against such legislation appeal to me as being neither basic nor conclusive. . . It may be

perhaps unimportant whether or not we agree with the particular form of legislation now in force in Wisconsin. Some may even feel that the problem confronting us can best be met by compulsory examination of prospective grooms, and, where venereal disease is found, compulsory notification of the future wife. But surely something should be done. I am convinced that we who pride ourselves on having the proper ethical standards should exert every energy to put a check on an evil that threatens the health and happiness of innumerable men, women and children'' (Frank Cavanaugh, ''A Booklet and a Law,'' in *The Catholic Charities Review,* April, 1926).

''The voluntary method is the only sound way of approach in this matter. Duclaux considered that the candidate for marriage should possess a certificate of health in much the same manner as the candidate for life insurance, the question of professional secrecy, as well as that of compulsion, no more coming into the one question than into the other. There is no reason why such certificates, of an entirely voluntary character, should not become customary among those persons who are sufficiently enlightened to realize all the grave personal, family, and social issues involved in marriage. The system of eugenic certificates, as originated and developed by Galton, will constitute a valuable instrument for raising the moral consciousness in this matter. . . . To demand compulsory certificates of health at marriage is indeed to begin at the wrong end'' (Havelock Ellis, ''Studies in the Psychology of Sex,'' Philadelphia). ''With regard to the question of compulsory medical marriage certificates, racial hygiene assumes a negative attitude. For, on the one hand, many who could not obtain a marriage certificate would enter on unlawful sexual unions; on the other hand, many of

the most conscientious, decent and respectable, from whom a desirable progeny is to be expected, would allow themselves to be deterred from marriage by such a distasteful formality'' (Oskar Meister, ''Rassenkunde und Seelsorge,'' in *Die Seelsorge,* May, 1926). ''Health, beauty, and vitality are natural objects of admiration and love. Titles, wealth, and other extraneous attractions are not. There is no reason why eugenic fitness may not be included in love's ideal. Ex-President Roosevelt would have such fitness in marriage a matter of patriotism. Some persons would even make it a matter of religion. A general social judgment affirming its importance will go far toward making it a part of the ideal of the individual members of society'' (E. C. Hayes, *op. cit.*).

But, however this may be, every sane person will exact assurance of good health in the chosen life partner. If this assurance cannot be acquired in any other way, it is reasonable to demand a certificate from a trustworthy physician. That much we owe to ourselves and posterity.

In this respect, as in many others, we have fallen from the sterner ideals of social responsibility held by our forefathers, and have come to adopt a more convenient liberalism and individualism. The ages of faith knew of restrictions on individual liberty in the interests of the community that we, imbued with a false liberalism, would wrathfully resent. Customs, conventions and traditions formerly surrounded the individual with barriers which he did not dare to transgress.

There were also customs that regulated marriage and controlled the choice of a partner in a way beneficial to the social body. These social regulations, though not enacted into laws, very effectively safeguarded good strains of blood, and prevented racial degeneracy. In this manner public health was protected and mental defectiveness kept down in spite of the absence of eugenical legislation. The Christian spirit is far from recognizing that an individual may marry without regard for the good of society. These beneficent restrictions were swept away by the individualistic tendencies of the Reformation and the French Revolution. The present absolute freedom enjoyed by the individual and his attitude of indifference towards the public weal are unwholesome and unchristian. If we wish to save the race from degeneracy, we will have to return to the social ideals of truly Christian ages, in which the social good was looked upon as superior to private good. Even in the highly personal question of choosing a partner, the individual must take into account the effect which his choice will have on the welfare of others and the good of the community.

"Because of the uncompromising attitude adopted by the Church and Catholics towards birth-control and such propositions as sterilization of the unfit put forward by certain eugenists, non-Catholics interested in public and private welfare are all too apt to assume

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that 'unrestricted breeding' must be tolerated, and has always been tolerated where Catholic influences predominate. . . . It is only natural for parents to advise their son or daughter against marrying an epileptic or feebleminded person, and this advice was apt to be heeded as long as their authority was respected. Public opinion, as exerted in former times by the neighborhood also acted as a strong deterrent in such cases. Moreover, the parish priest would side with the parents and friends of any young man or girl who was contemplating marriage with a person afflicted in the manner mentioned. . . . If feeblemindedness is today a menace to society, it has undoubtedly become so in consequence of the breaking down of ever so many barriers, erected by experience in the course of centuries, in consequence of the leveling influences of the 18th century. To the Egalitarians the thought that anyone should be forbidden to marry, would have seemed preposterous and entirely at variance with the doctrines laid down in the Declaration of the Rights of Man. Because of the influence exerted by the Liberalism of this type, the older laws, restraining those afflicted in such manner from marrying, were abrogated. . . . Count August von Limburg-Stirum, Prince-Bishop of Speyer (1770-1797), did not hesitate to decree that no epileptic should be permitted to marry. Besides, there was the general restriction that no one lacking the means to support a family should contract matrimony. All laws of this nature, whether customary or ordained by some ruler, were an abomination in the sight of the Liberalists. Now that some of the results of freedom abused are all too apparent, their successors would have recourse even to such unnatural means as sterilization and artificial birth-control. Usually laws were unnecessary. It was left, and could be left, to the conscience of the in-

conduct and the good name of those primarily concerned to avoid what primarily affected unfavorably, not merely their well-being but that of their progeny and the society of which they were a part . . . Furthermore, organized groups could be relied upon to exert an influence over their members even in such affairs as the choice of a wife. A freedman was not permitted to marry prior to having set up in whatever trade he was practicing. Nor was he permitted to remain single long after he had become a master artisan. That a member of a respected Guild should marry anyone afflicted with an hereditary disease or a woman from a family notoriously degenerate, was virtually out of the question. . . . Moreover, because of the waning of religion the individual is no longer possessed of the consolations of the mother referred to in one of the novels of the great Swiss story writer, Gottfried Keller. This woman, who lived towards the close of the 18th century, implored her daughter not to marry since insanity ran in the family. And the daughter, whom the mother so admonished on her deathbed, heeded the promise she gave the dying woman. Nor is it probable that any pastor, no matter how well intentioned he might be, could today induce a number of young men and women, afflicted with an hereditary disease, to promise him to refrain from marriage in order to eradicate that disease from his parish. This was actually accomplished in a Swiss village, where in consequence of the intermarriage between members of a comparatively small group of people profuse bleeding obtained to a dangerous degree" (F. P. Kenkel, "Eugenics under Catholic Canon and Laws" in *Central-Blatt and Social Justice*, February 1927). The article from which we have quoted and which we would like to transcribe in its entirety is exceedingly worth reading. It shows how

strong the sense of social responsibility was in the ages of faith, and how it prevented socially harmful marriages. It also proves conclusively that, though the Church repudiates many of the measures suggested by modern eugenists, it does not for that reason stand for unrestricted breeding. There is no danger that in a truly Catholic community degeneracy would spread. The consciousness of social responsibility and enlightened public opinion consolidating into custom would prove a very effectual barrier to dysgenic marriages. Modern eugenics is not correcting the mistakes made in Catholic times, but rather those committed by the much-vaunted Liberalism of the 18th century. The Church here, as also in the question of economics, was on the right side. Our age has to rebuild the barriers that were foolishly torn down by liberalistic doctrines. We repeat the Church never countenanced irresponsible marriages. The irresponsible marriage is a product of our days, the outgrowth of individualism and liberalism. As long as the Church enjoyed social influence, she was capable of preventing dysgenic unions. She did this by shaping the ideals, the customs and the traditions of the community without resorting to brutalizing laws and degrading statutes. And she did it in a more effective way than legislation can hope to do.

Where Christian sentiment prevails, the individual will endeavor to lead a life in accord with the laws of nature and morality, and thus forestall the danger of becoming a focus of infection for future generations. He will preserve the precious inheritance of health, and transfer it intact as he has received it.

This is done, as has been previously indicated, by self-discipline and moral restraint. Lack of moral self-control weakens the race and hands it over to degeneracy. "The diseases which work most harm in a population do not attack their victims from the outside. The germ of evil is in each individual, and its development depends to a great extent upon his personal habits. If the adolescent or young man does not impose upon himself a severe moral discipline, it will be of little use to protect him against hereditary transmission and contagion; he will create within himself a new source of infection. The evil will arise from abusive excitations of the passions. . . . This conviction, this rule, this discipline—and it is necessary to speak plainly—is that of chastity. . . . But these difficult virtues require a favorable environment. They may only be hoped for in practice, if they are encouraged and facilitated by what we may call social chastity. They must be protected by measures of public hygiene, which render the moral atmosphere healthy, and which, to use a phrase employed in the Belgium Chamber apropos of legislation against alcoholism by the Minister of Justice, defend the individual against himself" (V. Fallon, *op. cit.*).

But individual effort is not sufficient. The Christian community will maintain economic and social conditions that are most favorable to the preservation of health. In order to effect this purpose, it will remove economic abuses that lead to human degradation, and will keep public life clean so that the bodies and minds of the young may not be tainted and debauched. For we must not overlook the fact that environment

is also a very potent factor in race-betterment. Many that are well born deteriorate under adverse economic conditions. Christian eugenics, therefore, must also work for the economic improvement of the masses—that is, for social justice. Social injustice is a dysgenic agency too frequently left out of their calculations by the modern eugenists, who have eyes only for heredity. The scope of Christian eugenics is much wider and more inclusive, and embraces in its program all the factors that will contribute to racial advance. It requires that the individual do his duty, but it also demands that society shoulder its part of the responsibility.

The slums, that ugly blot on our modern civilization, spoil much precious human material which under more favorable circumstances would grow to the full stature of splendid manhood. Dr. Lamarck writes "that the babies of the slums, seen early, before ignorance and neglect have had their way with them, are physically vigorous and promising in certainly not less than ninety per cent of cases." What boots it to talk of being well born, if we allow such numbers that are hale and hearty in soul and body to deteriorate under adverse social conditions? Let us turn our eyes in this direction and stop the awful waste that is going on in the very bosom of society. A reconstruction of society that will make it possible for all members of the community to live in surroundings that befit human dignity, will also do much to reduce the number of degenerates. At this point the programs of the eugenist and the social reformer merge into one. Before we think of those that

are not yet born, let us save those that are already with us. Surely, our duty is first to those who already exist, and who undoubtedly have a right to decent living conditions.

Eudemics

A certain air of snobbishness clings to the modern type of eugenics. The modern eugenist is chiefly concerned about the upper strata of society. He affects to despise the lower strata, and is horrified at their rapid increase. The fertility of the masses is not to his liking. According to him, nothing good can come from that part of the population which lacks the social graces, and which is not blessed with wealth and social prestige. It would fill him with glee, if this portion of the community ceased to propagate itself, and if only the higher sections multiplied. He believes in the pagan slogan: *paucis vivit genus humanum.*

Christian eugenics is free from this ugly taint of snobbishness. It has both love and respect for the teeming multitudes, and realizes that the Heavenly Father looks upon them with special favor. It likewise is aware that these masses are the hope of mankind and the source of its strength. Here lie the reservoirs of human regeneration and the deep wells from which the moral, mental and physical resources of the race must be replenished. Instead of neglecting these classes, it devotes to them special attention. It would

work for the people at large, rather than for the few and the privileged. Thus, Christian eugenics transcends the narrow limits to which racial and social pride would confine itself. It frankly stands for the welfare of the masses, the good of the whole people. It broadens out into the larger and worthier field of eudemics.

"There are many who look with alarm at the fact that population is being to so great an extent recruited from the base, i. e., from the lower classes. Such apprehensions are due to the almost universal error that those classes are inferior to the middle and higher classes. This is not the place to refute this error, and I have done it elsewhere, but could it be removed, all grounds for alarm would be dispelled. If there are signs of decadence anywhere, they are not in the proletariat. They are to be found among the pampered rich, and not among the hampered poor. These, though ill bred, are well born; their infusion into the population imparts to it a healthy tone. It constitutes the hope of society" (Lester F. Ward, "Eugenics, Euthenics, and Eudemics," in *The American Journal of Sociology*, May, 1913). In the paper to which the author alludes, we read, and it does one good to read it: "So far as the native capacity, the potential quality, the promise and potency of a higher life are concerned, those swarming, spawning millions, the bottom layer of society, the proletariat, the working classes, the hewers of wood and the drawers of water, nay, even the denizens of the slums, are by nature the peers of the boasted aristocracy of brains that now dominates society and looks down upon them, and the equals in all but privilege of the most enlightened teachers of eugenics" (Remarks on a Paper

by Prof. D. Collin Wells on "Social Darwinism," read before the American Sociological Society on December 29, 1906). We are glad that the Nestor of American Sociology so unequivocally repudiates the oligocentric world-view so complacently indulged in by those who look upon themselves as the very cream of humanity.

A word in conclusion. What is good in eugenics we accept. When we work for the improvement of the race, we are coöperating with Divine Providence and for the greater glory of God. Eugenics may even become the honored handmaid of religion and charity. But it can aspire to this dignified position only if it respects the laws of God, who is the author of life. Nothing that is contrary to the law of God can benefit mankind or improve the race. That is the position of the Christian eugenist.

Those who would find out for themselves to what absurd and atrocious lengths the non-Christian eugenists will go, may read "Lysistrata, or Woman's Future and Future Woman," by A. M. Ludovici, New York City. The gist of the work, with delightfully caustic criticism, can be found in *Editorial Comment* by Father James M. Gillis, C.S.P., "The Catholic World," January, 1927. Those who think that the issue of sterilization is a dead one will be disabused of their fond illusion when they read the following item taken from *The Record* (Philadelphia, January 27, 1927): "In his talk before the Budget Commission of Delaware today, Dr. M. A. Tarumianz, superintendent of the State Hospital for the Insane, made the following statement: 'To date more than 30 patients have been operated on and more than

96 are on the list, awaiting the operation. It is the plan to sterilize from 150 to 200 every year, until all the feebleminded have been so treated and thereafter they will be unable to propagate, and the appearance of imbecile, insane and feebleminded children in this State will be a thing of the past. So great and important is this work that many other States are watching it. Patients so treated become docile, useful citizens, and there is never danger of their committing an outrage. They may be paroled from the hospital with safety, thereby relieving the State of the expense of their care and treatment. To carry on the work the hospital trustees are asking the Legislature for enough money to equip an operating room."

CHAPTER XV

SUMMARY RECAPITULATION

This concluding chapter has the twofold purpose of presenting the whole case in a bare outline that is easy to take in at one glance, and of adding some supplementary matter that will strengthen the argument. As the discussion of the subject is right now going on, new phases of the subject are being brought out, and more searching light is being shed on some of the obscurer points. On the whole, it may perhaps be said that the trend in scientific circles is towards caution and conservatism, whereas the tendency among the advocates of social uplift is in the direction of greater boldness. In general, the enthusiasm for eugenical legislation stands in inverse ratio to the knowledge the spokesman has concerning the facts of heredity.

The National Committee for Mental Hygiene includes among its members eminent authorities on mental disease. To a pertinent inquiry it gave the following answer: "Although the National Committee has never taken a stand officially for or against sterilization, it has never advocated the measure. The consensus of opinion among the members of the Committee is that with our

present knowledge of feeblemindedness the general application of sterilization laws is not warranted. We feel that sterilization does not solve the difficulty, and that it creates others'' (*The Mental Hygiene Bulletin*, January, 1925). This attitude of caution is in striking and pleasing contrast to the assurance manifested by many propagandists, who rush into action on the strength of vague guesses and uncritical, popular assumptions. In many quarters this indiscreet zeal still predominates, but it is not encouraged by noted genecists, who frankly admit that the problem of heredity involves many complications that so far have defied analysis.

Briefly, the question of the lawfulness of the sterilization of the unfit by public authority may be summarized in the following manner: Society has the right to protect itself adequately against the danger resulting from the presence and the increase of the mentally diseased. If sterilization can be proved to be the only sufficient means by which this purpose can be accomplished and national degeneration staved off, public authority cannot be denied the right to use it for the protection of the common good, which, according to the teaching of Moral Theology, prevails over private interests. From this abstract argument, however, it is a far cry to the practical conclusion that the State in the present condition of affairs actually may exercise this theoretical right. For, as things are at present, national degeneration is not imminent, and consequently the right of national self-preservation may not be invoked.

Besides, sterilization is not the only means available for the protection of the community, and, as long as other means more consonant with human dignity and less subject to serious abuses can achieve the same purpose, the State may not resort to this drastic measure, which cannot but be regarded as a grave mutilation and constitutes a violation of human personality that requires for its justification a commensurate cause. Whatever, therefore, may be said with regard to the theoretical aspects of the case (which at that are not entirely clear), in practice eugenical sterilization of the unfit cannot be justified at the present stage of affairs and must be condemned as an unwarranted assault on human rights.

This in substance is the position defended by Dr. Joseph Mayer.[1] It differs from the opinion commonly held, because Dr. Mayer contends that sterilization of individuals who are mentally diseased and would transmit their disease by heredity, is not in itself an injustice to them. While they are entitled to life and health, they have by the abnormal condition of their nature forfeited the right to propagate themselves. It is not the intention

1 "Gesetzliche Unfruchtbarmachung Geisteskranker" (St. Louis, Mo., 1927). This exhaustive treatise is an expansion of the same author's article in the *Bonner Zeitschrift für Theologie und Seelsorge*, to which frequent reference has been made in the body of our exposition. It may be well to recall that, though the majority of theologians frown on eugenical sterilization as inherently wrong, there is as yet no authentic declaration to this effect.

of nature nor the design of God to perpetuate the abnormal. Infecundity seems to be required in their case, and, accordingly, the State would do them no injustice by imposing sterility on them. But only the necessity of social self-defense can justify this course. Necessity also will limit the rights of the State. Thus, the rights of those concerned are safeguarded against possible encroachment by public authority. Safeguards are imperative lest the floodgates of intolerable abuses be opened. Hence, Dr. Mayer writes: "It must be demanded of legal measures of sterilization that they are practically enforceable; that they are just, inasmuch as they must apply only to those who are harmful to society, and grant the right of appeal to all who think their rights invaded; that they are adequate to their purpose—that is, adapted to save society from some threatening danger" (*op. cit.*). Still the author holds that at present there is nothing that would justify such action on the part of the State.

It can be easily understood why the majority of theologians absolutely deny the State the authority to decree eugenical sterilization under any circumstances. At a time when the rights of the State are so ill-defined as in our days, and when a fatal tendency exists to enlarge indefinitely the sphere of public authority and to brush aside personal rights, it is indeed dangerous to concede a power that is fraught with great potentialities of evil, and that may readily

be pushed to extremes. Still, compulsory segregation, which these same theologians regard as justifiable, is after all also a serious invasion of individual rights and a very real physical evil. The restrictions applied to the concession of the right will protect the individual against undue usurpation of power on the part of the State. For, even if it is admitted that the State has the right to legalize sterilization, it still has to prove that existing conditions warrant the exercise of this right, and Dr. Mayer unequivocally denies that such conditions obtain at present.

Forcefully Dr. A. J. Muench puts the case: "Indeed, once this right is conceded to the State, the rights of man are in danger of further encroachment. If the State may sterilize mental defectives, why not then also epileptics, consumptives, criminals, and, in general, those who transmit undesirable traits to their offspring? Just where is the line to be drawn?" ("Sterilization by Law," in *Central-Blatt and Social Justice,* October, 1927). To our mind the writer proves too much. His argument may be directed against every right of the State, for all rights are liable to abuse. Moreover, Dr. Mayer explicitly requires a peril that has assumed national proportions. Besides, the danger must arise precisely from hereditary transmission, or otherwise the peculiar means employed would be absurd. Nevertheless the danger of abuse should not be minimized.

The Actual and Concrete Situation

At all events, it may be confidently claimed that the conditions which would justify eugenical ster-

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ilization are not verified in our days, and that there is scant prospect that they will be realized in the near future. Mental defectives do not exist in sufficient numbers to constitute a real menace to the community or to be regarded as an intolerable public burden; no alarming increase of this unfortunate portion of the community is observable; where a disproportionate increase is noticeable, it is due, not to heredity, but to environmental conditions; the nature of mental disease is not so well known that any one ought to be pronounced hopelessly defective; the laws of heredity are shrouded in much mystery, and legislation based on such unreliable information as we have at present would bespeak criminal presumption; segregation can fully cope with the evil as it exists among us at this date. Not on sterilization should public attention be focused, but on the necessity of improving the environment of the mentally afflicted. Seemingly hopeless cases will yield to appropriate treatment, and many that were rashly pronounced incurable may be restored to normality.

Dr. H. H. McClelland refers to the feebleminded and the insane as God's most neglected people, and pleads urgently for greater social interest in their behalf. With great force he argues against sterilization and for enlightened medical treatment of the mentally diseased. Among other things he says: "A careful, unbiased study of the family trees of those who are mentally sick will

reveal that there is no greater proportion of mental sickness than there is in the family trees of those who are mentally well. Sterilization would be of no more use in eliminating the mentally sick than cutting off the ears of mental sufferers with the same objects in view. . . . What are the causes of mental sickness? We do not know. There have been several theories, such as the heredity theory, early environment, the strains and stresses and physical or toxic factors within the body. There is a growing school of medical men who believe that all marked abnormal mental reactions are intimately connected with the environment of the individual both internal and external'' (''The Sterilization Fallacy,'' in *N. C. W. C. Bulletin,* September, 1927). He then cites instances where a mental condition was cleared up by dental treatment, and others where dieting produced improvement. Not killing or mutilating is the doctor's job, but healing and saving. An editorial in *America* (December 3, 1927) says: ''Who is incurable and who is unfit, are questions which the wise and upright physician will hesitate to answer. As for the unfit, possibly one of the most famous examples is that of the late Marquis Villalobar. He had no feet, no teeth, no top to his skull, so that the slightest pressure on the skin would have touched the brain, and for many months he was kept alive only by constant nursing. As a young man he was fitted with artificial feet, and a top to his skull. Then he went to college, entered the Spanish diplomatic service, and for some time was an engaging figure in Washington life. During the dark years of the Great War, he served most usefully as Spanish Ambassador to Belgium, and he died some years ago, closing a notable career at the age of fifty-four.''

The protagonists of sterilization not seldom grossly exaggerate when they speak of the menace of the feebleminded and their alarming fecundity. The sober statement of Dr. Muench (*loc. cit.*) may be taken as expressive of the real facts: "Briefly, facts do not warrant the assertion that mental degeneration is quantatively or qualitatively on the increase. Nor do they warrant the cry of alarm that the menace of mental defectives has become one of such serious proportions that the future welfare of the nation is imperiled."

"Also in the matter of an abnormal fecundity of the mentally unfit have the proponents of eugenic sterilization overreached themselves. Against their assertions one can place the fact that certain groups of idiots are incapable of the act of procreation, and that most of the sexual degenerates among the feebleminded, if not all of them, are sterile" (Dr. Muench, *loc. cit.*). Similarly Dr. A. R. Vonderahe: "Aside from these facts, it is interesting to note that the actual observation of the descendants of known cases of feeblemindedness studied exhaustively from a medical standpoint in no way indicates that this condition is hereditary to the degree that it is popularly supposed. Dr. W. E. Fernald, who devoted many years to a scientific study of the feebleminded at Waverly, Mass., studied cases of the feebleminded who left the institution against the advice of physicians. Many of these married, and the greater number, he states, lived normal lives and got into no difficulties. Some had feebleminded children; most did not. Dr. Fernald also gives an account of the following interesting study: Dr. Samuel Howe in 1848 made a survey of the idiots in

Massachusetts at that time. At the present time not one feebleminded person of names similar to those given in Howe's study was found in any of the towns. This indicates the tendency of feeblemindedness to disappear in families in the course of a few generations. This leads up to the statement so frequently made that the feebleminded are very prolific in the matter of children. Again the observation of Dr. Fernald of the Waverly Institution for the Feebleminded supplies actual data for an opinion. In the feebleminded individuals who left the institution and married, the average number of children in the families of these people did not average one person to a family'' (''The Sterilization of the Feebleminded,'' in *N. C. W. C. Bulletin,* August, 1927).

Dr. James J. Walsh has little patience with the proposals of the eugenists, and loves to ridicule what he calls the bogy of heredity. The following passage is from an article which he contributed to *The Commonweal*: ''The tide has turned in the matter of heredity, and now it looks as though men would realize before long that there has been a large and rather serious delusion with regard to the significance of this factor in human life. . . . More and more the feeling has grown that, in the matter of insanity and feeblemindedness, the teaching that was current as to heredity and its influence at the beginning of the century must be modified in the face of the ampler information that we have secured. . . . Apparently we have allowed the idea of heredity to run away

with us in this matter quite as it did in tuberculosis. That did an immense amount of harm, and cost the lives of a great many people. Let us see that no hasty action on our part causes any further damage. Let us wait until we know more about this whole subject. It is an extremely complex one. All the trend of present-day thought is in the direction of limiting the influence of heredity instead of broadening it, while at the same time emphasizing the rôle that environment plays. We can do ever so much to improve environment without any chance of doing harm."[2] It is true, biology has established certain facts of heredity, but on the slender basis of these facts the enthusiasts of eugenics have reared a fantastic edifice of utterly unwarranted conclusions. The men of science deprecate this unscientific haste, and maintain an attitude of reserve.

In the Report of the Committee on Public Health Relations of the New York Academy of Medicine for the

[2] November 9, 1927. On another occasion Dr. Walsh stated: "Indeed, this whole question of families is quite as likely to be a matter of environment as heredity. Jukes and Kallikaks are deeply influenced by the fact that they associate with criminals and defectives, and so the best qualities of them are never brought out. Very often such people are extremely poor, and poverty has much to do with their temptations to unsocial activities. We would do much more good by securing as far as possible for such people a decent living wage and good living quarters than by attempts at legislation which are founded on misunderstanding of the conditions and which will, like other legislation along similar lines of supposed prohibition and prevention, do infinitely more harm than good" ("Legislation the New Panacea of Humanity," Paper read before the National Council of Catholic Men. Detroit, October, 1927).

year 1926, we read: "The question of selective sterilization of certain types of the feebleminded has not made much progress; first, because of a general prejudice against sterilization and the difficulties and possible abuses which might arise in connection with its enforcement, and, secondly, because of differences of opinion with regard to the inheritance of mental defects. There is no unanimity among the geneticists on this point."

G. K. Chesterton directs a demolishing broadside of sarcasm against the conceit of the eugenists who presume to interfere with the mysterious ways of nature: "Having given honor for the idea where it belongs, I may be permitted to summarize it myself for the sake of brevity. Mr. Wells' point was this. That we cannot be certain about the inheritance of health, because health is not a quality. It is a relation, a balance. You have a tall, strong man; but his very strength depends upon his not being too tall. You catch a healthy, fullblooded fellow; but his very health depends on his not being too full of blood. A heart that is strong for a dwarf will be weak for a giant; a nervous system that would kill a man with a trace of a certain illness will sustain him to ninety if he has no trace of that illness. Nay, the same nervous system might kill him if he had an excess of some other comparatively healthy thing. Seeing, therefore, that there are apparently healthy people of all types, it is obvious that, if you mate two of them, you may even then produce a discord out of two inconsistent harmonies. It is obvious that you can no more be certain of a good offspring than you can be certain of a good tune if you play two fine airs at once on the same piano. . . . This is the interesting conclusion. It is on this degree of knowledge that we are to abandon the universal morality of mankind" ("Eugenics and Other Evils," New York City).

Materialistic Background of the Eugenical Movement

Though individual spokesmen may be prompted by lofty motives and actuated by a sincere desire to help afflicted humanity, the eugenical movement as such is plainly inspired by pagan and materialistic ideas. Its whole outlook on life is confined to the narrow horizon of this world. Its emphasis on economic usefulness betrays materialistic ideals, and its subordination of human rights to social welfare is a reversion to pagan levels of thought. To this may be added its blindness to spiritual values and factors and its disregard for human dignity.

"There is no doubt that much of the agitation in favor of compulsory sterilization is prompted by atheistic and materialistic conceptions, which view man as nothing more than an animal, albeit an animal cultured and civilized. Whilst it is true that most of the defenders of legal sterilization are actuated by the purest of motives, yet underlying the whole movement is a current of irreligious materialism" (Dr. Muench, *loc. cit.*). Likewise Dr. McClelland: "The mere fact that there are those who would sponsor such legislative procedure is one of the greatest indicators of the retrograding influence of materialistic philosophy" (*loc. cit.*). The snobbishness of the movement is pointed out by Dr. Josephine Letitia Denny Fairfield, C. B. E., D. P. H., who says: "The economic conception of unfitness is being more and more emphasized. The eugenists are

showing that poverty is the crime. The two main planks of the eugenists now seem to be sterilization and birth-control for the poor'' (*Official Report,* National Catholic Congress, Manchester, 1926).

A stronger assertion of the spiritual nature of man, a more general observance of the moral law, a consistent application of Christian principles to social life, a reinforcement of the sense of personal responsibility and of social duty, and in general a remolding of life after the Christian pattern, will do infinitely more for the elimination of racial poisons and the improvement of the race than all hysterical eugenic agitation.[3]

[3] Cfr., Thomas J. Gerrard, ''A Challenge to the Time-Spirit'' (New York City), especially Chapter IV, *Sanctity and Racial Betterment.*

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